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## Contents for November 1939

THE LEAGUE'S BUSINESS .....	<i>H. P. J.</i>	754
EDITORIAL COMMENT .....	<i>A. W.</i>	755
STREAMLINED COUNTY GOVERNMENT—LOS ANGELES		
STYLE .....	<i>John McDiarmid</i>	757
ENGLISH LOCAL GOVERNMENT FACES WAR	<i>C. Herman Pritchett</i>	764
COUNTY DISORGANIZATION FOR NORTH		
DAKOTA .....	<i>Kenneth Wernimont</i>	769
SAGINAW: A LESSON IN COÖPERATION		
	<i>Priscilla C. and Howard M. Kline</i>	773
WHERE TO PUT THE TRAFFIC ENGINEER		
	<i>John Ackermann and John Thurston</i>	781
COLORADO CIVIL SERVICE COMMISSIONERS		
IMPEACHED .....	<i>James Donald McBride</i>	786
CONTRIBUTORS IN REVIEW .....		794
OUR INVISIBLE GOVERNMENT .....	<i>Christopher M. Gallup</i>	795
THE RESEARCHER'S DIGEST: NOVEMBER .....		797
NEWS IN REVIEW		
NOTES AND EVENTS .....	<i>H. M. Olmsted</i>	799
COUNTY AND TOWNSHIP GOVERNMENT ....	<i>Paul W. Wager</i>	805
TAXATION AND FINANCE .....	<i>Wade S. Smith</i>	807
PROPORTIONAL REPRESENTATION ....	<i>George H. Hallett, Jr.</i>	809
BOOKS IN REVIEW .....	<i>Elsie S. Parker</i>	814

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# The League's Business

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## ***Newest Staff Member***

This month the League was fortunate in being able to add to its staff another full-time field representative—Mr. Elwood N. Thompson. Mr. Thompson is a graduate of the University of Nebraska where he specialized in political science and law. He later studied at Columbia University where he was awarded the Pulitzer traveling scholarship, to spend a year abroad, by the Columbia University School of Journalism. Mr. Thompson worked with Dr. Luther Gulick of the Institute of Public Administration in 1935, handling publication and promotional material in connection with the famous "Better Government Personnel" study. He also served on the staff of the New York State Commission for the Revision of the Tax Laws. For the last three years Mr. Thompson has been in Washington with the Associated Press, preparing interpretive features on the operation of the federal government.

## ***Report of the Nominating Committee***

The nominating committee appointed by President Dykstra last month will make the following report at the League's annual meeting:

*New Members of the Council.*—Miss Anne M. Mumford, Haynes Foundation; Robert C. Hendrickson, president of the New Jersey Senate; Harry Drackett, president of the Cincinnati City Charter Committee; Robert W. Johnson, New Brunswick, New Jersey; Henry L. Shattuck, Boston; Professor R. J. Colbert, University of Wisconsin; Sevellon Brown, editor of the *Providence Journal*; Philip Cornick, Institute of Public Administration; H. B. Wells, president of Indiana University; Colonel Henry M. Waite, Washington, D. C.

*Additions to Honorary Vice Presidents.*—Frank H. Morse, Lehman Brothers, New York City; William E. Mosher, Maxwell Graduate School of Citizenship and Public Affairs, Syracuse University; John G. Winant, director of the International Labor Relations Board, Geneva, Switzerland; Charles P. Taft, city councilman of Cincinnati; Harold S. Buttenheim, editor of *The American City*.

Members of the nominating committee are: William C. Beyer, *chairman*; Carl H. Chatters, S. V. Norton, John F. Sly, Morton L. Wallerstein.

## ***Wide Interest in Minnesota***

Dr. P. P. Womer, president emeritus of Washburn College, who is spending full time in the field promoting the organization of local citizen groups and advising groups already in existence, reports enthusiastic interest in the program of the National Municipal League from Minnesota. As a result of Dr. Womer's work, the League has within the last month obtained sixteen new members in Minnesota in addition to a number of contributions.

HOWARD P. JONES, *Secretary*



# National Municipal Review

## Editorial Comment

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### Boss Rule Is Cheap (?) in Memphis

**J**UDGED by usual tests of a material nature—taxes, debt, quality of services, ability of personnel, etc.—Memphis isn't a badly operated city. Yet everyone in Memphis and everyone away from there who is at all interested knows Memphis is a "boss run town."

It is said that many people of superior intelligence and position in Memphis take a "so what" attitude. "Whoever actually runs the city, it's well run, isn't it?" they say, "and the cost is reasonable." Besides, those who have something to lose don't like to tangle with the boss in Memphis any more than they do in Jersey City or used to in Kansas City.

Maybe the cost is reasonable enough in dollars and cents. Maybe,

on the other hand, it isn't. The people of Memphis, who have cheerfully abrogated their privileges of citizenship, may not be in a very good position to know.

Recently petitions were circulated in Memphis for the nomination of a candidate for mayor. The outside world was amazed to learn that the name of the candidate was left out—to be filled in later when the boss made up his mind. But the people of Memphis were neither surprised nor resentful. Enough of them actually signed, not knowing whom they were supporting!

So what about the cost to men's minds? What about the cost to the ideal of self-government which is supposed to find its last great stronghold in this country?

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### Seeking a Pattern for Amateurs

**M**ANY communities obtain relatively good government without much effort. Some of these have never had real political spoils machines, others have well established traditions which encourage the ablest persons to accept public service as an honor, others have never lacked honest leadership, and still others have opposing political factions so evenly matched that the "outs" are always ready to become the "ins"

whenever one side slips.

Whatever the reason, these communities are fortunate, especially if their people are actively and largely participating in the democratic processes—influencing the preliminary choice of candidates (instead of letting them be hand-picked in the well known "smoke-filled room"), getting out substantial votes on candidates and issues (instead of letting such matters go by default with 28

to 50 per cent of qualified voters going to the polls as so often happens), avoiding the temptation to be lulled into a sense of complete satisfaction with the status quo.

But in most communities conditions are not so apparently ideal. Whether the city is in the grip of a corrupt, plundering machine (as some still are) or whether it is simply the victim of poor housekeeping or petty favoritism, it usually takes drastic, positive action on the part of an aroused citizenry to gain improvement. This action appears in the form of nonpartisan citizens organizations determined to end abuses and to set up safeguards against their revival in the future.

Such organizations usually are in the hands of "political amateurs," naturally enough, because the custodians of the status quo aggressively prefer things the way they are. The need for organizational patterns to be followed by these "amateurs" has long been felt and only partially provided. As one contribution toward filling this need, the National Municipal League at one of its sessions at the forty-fifth annual National Con-

ference on Government at Indianapolis, will conduct a clinic to examine various of these organizations to attempt to identify the elements that make them work.

There are so many types of such organizations and such a variety of problems facing them that it obviously would not be possible to provide every kind of laboratory subject at the conference. But civic leaders from half a dozen places where notable or pioneering efforts are being made will speak. Their talks will be followed by a general discussion in which many other civic leaders will participate.

There should be a nation-wide and exhaustive survey of citizens organizations to determine what helps them to accomplishment or what keeps them from attaining their goals; and discussions such as the impending one may bring us a step nearer such a survey. Efforts here and there by independent-minded citizens to recapture their governments fail frequently less from lack of desire and worthy purpose than from lack of pattern.



# Streamlined County Government —Los Angeles Style

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*Relieved of hopelessly minute details by its recently appointed chief administrative officer, County Board of Supervisors is well satisfied with past year's experience; may take steps to incorporate new office in county charter.*

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By JOHN McDIARMID  
*University of Southern California*

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SEPTEMBER 9, 1939, marked the first anniversary of Los Angeles' historic effort to provide more efficient and economical county government by means of a single administrative head. One short year earlier Colonel Wayne R. Allen had rolled up his sleeves as "chief administrative officer" and had begun the task of justifying both the office itself and his own selection.

Within the past decade Angelenos had not been entirely ignorant of the advantages of manager government. Concrete proposals for a Los Angeles county manager had appeared in reports of the California Commission on County Home Rule (1930), the Committee on Administration of the Los Angeles Grand Jury (1933), and the Committee on Governmental Simplification (1935). Support for a charter amendment grew among various civic groups, and the Board of Supervisors seriously considered the presentation of the desired proposal to the voters in November 1936. Successful impetus, however, was given the manager idea in the summer of 1938 when members of the Board of Supervisors, and particularly Chairman Roger W. Jessup, were greatly impressed by the work of the chief administrative officer of the

city-county of San Francisco. A unanimous board provided by ordinance for the experiment which Colonel Allen launched on September 9th.

## THE OUTLOOK

Several important factors colored the outlook and heightened the significance of the plan. In the first place, Los Angeles County had an estimated population of 2,700,000, an area of 4,083 square miles, an annual budget of around \$80,000,000, some fifty-odd governmental departments, and almost 16,000 employees. Many times the argument as to the feasibility of the manager plan for a large and populous jurisdiction has raged. Some have held that only in cities below the million population class can a manager succeed. Los Angeles County presents undeniable managerial difficulties, and may well provide the first bit of admissible evidence in the argument which has heretofore been a theoretical one.

Also of great importance was the character of Los Angeles County government before the chief administrative officer appeared on the scene. Frequently, and of course Cincinnati is the classic example, a successful city manager movement has ridden a wave of civic reform which is in

protest against an odoriferously corrupt and inefficient municipal government. It does not belittle the manager plan to recognize that tremendous improvement in administration is facilitated under such conditions, provided political reform is abiding.

Los Angeles County, however, had been noted for progressive and honest administration, due in no small part to the 1913 charter provision which had established the merit system for practically all officers and employees, including appointive department heads. The chief administrative officer's job was to coördinate and improve administration that was already far above the national average for local governments. This fact was of course not altogether discouraging. In any event, the first C. A. O. was faced with the understandable suspicion, if not opposition, of some of the department heads, all of whom for years had been free of overhead control other than the often ineffectual supervision of a busy Board of Supervisors.

Far from the least of the significant factors was the character of the chief administrative officer's position. Created by ordinance with no charter basis, the office was to exist at the sufferance of the Board of Supervisors, any three of whom could at any time remove all vestiges of the experiment. Not only was the C. A. O.'s job itself on a shaky foundation, but his powers were strictly delimited by provisions of state law as interpreted by the courts and the county counsel. No part of the board's administrative authority or responsibility could be legally delegated! As a consequence the chief administra-

tive officer's powers as defined by ordinance were to be chiefly advisory, and were to depend without exception upon board approval. He was to be the board's agent, or administrative assistant, with no independent status. This did not mean that the C. A. O. was to be powerless, but it did mean that continuous board support of Colonel Allen and his recommendations was a *sine qua non* of any effective managerial accomplishment. Though difficult to summarize, the chief duties given the C. A. O. at the outset were as follows:

1. To supervise the administration of county departments and services,<sup>1</sup> and to assist the board in their coördination.

2. To enforce and carry out the policies, rules, regulations, and ordinances of the board relating to administration.

3. To analyze and present to the board budget estimates with his recommendations thereon.

4. To supervise departmental expenditures, and make recommendations to the board regarding proposed purchases for capital outlay and the cancellation or transfer of budget items.

5. To attend board meetings and make recommendations on any administrative matter, but expressly on the creation or abolition of positions, the temporary transfer of personnel, and budgetary questions.

It will be noticed that the C. A. O. has no power of appointment or removal.

Of vital importance to the success of the manager experiment was the choice of the principal. By the time

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<sup>1</sup>With the exception of sheriff, assessor, district attorney—all of which are elective offices—and the Civil Service Commission.



the Board of Supervisors announced its intention of creating a chief administrative officer, the selection had in fact been made, thus precluding a scramble for the position. Colonel Wayne R. Allen, county purchasing agent for the past two years, with a background of military service and experience as purchasing officer for a large private corporation, was the man chosen. While the position was "created in the classified civil service" by ordinance, the salary of \$3,400 was designed merely to supplement the \$6,600 paid the purchasing agent, and consequently the Civil Service Commission followed the board's wish by waiving the competitive examination and appointing Colonel Allen. Oddly enough, the first incumbent of a position which has frequently been considered too big for any man found his new duties merely piled on top of those of purchasing agent, a job far from a sinecure in itself! Illogical though this plan may be, it has had some compensating features as will be pointed out later.

#### THE TEST BEGINS

By no means an academician, and with no formal training for governmental management, Colonel Allen's business ability was universally respected. In organizing his office he indicated very clearly his military training by announcing a staff set-up of three assistants—one for budget, one for personnel, and one for supply. The army general staff quadrumvirate was approached even more closely when a few weeks later a "report analyst" with some of the duties of a public relations assistant was added to the C. A. O.'s office. The similarity

of these four divisions to the army's G-1, G-2, G-3, and G-4 is striking, though not perfect."

There was much speculation as to the effect of the new regime upon the Department of Budget and Research. A separate department since 1936, also with ordinance, not charter, basis, the latter agency had been a major factor in the high quality of county administration during recent years, and had reported directly to the Board of Supervisors. Its somewhat anomalous position after the creation of the C. A. O. was indicated by the inconsistencies in the rules ordinance which provided sometimes for reports direct to the board, sometimes for reports to the C. A. O., and generally implied two independent investigations of budget requests. In actual practice the Department of Budget and Research began to report through the chief administrative officer, and the 1939-40 budget provided for a change of title to Bureau of Administrative Research and recognition of its logical position as research staff attached to the chief administrative officer in the office of the Board of Supervisors.

The exact pattern into which the C. A. O.'s work would fall was of course unpredictable, and the first year has been largely one of transition. It was early apparent, however, that the Board of Supervisors was coming to depend upon its chief administrative officer for recommendation upon practically every administrative matter. The board minutes

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<sup>2</sup>See John H. Marion, "Organization for Internal Control and Coördination in the United States Army," *American Political Science Review*, October, 1938, p. 893.

overflow with requests that the C. A. O. "investigate and report his recommendations" on such varied matters as operation and income of swimming pools, cost of food for indigents, consolidation of city and county health functions, and innumerable others. Indicative of this reliance was a board order of October 18, 1938, that "all reports of county officers be referred to the chief administrative officer before presentation to this board, and that only such reports as have been recommended by said chief administrative officer be presented to the board."

#### COMPLETE BOARD SUPPORT

In making investigations, the C. A. O. and his office staff have called upon the Department of Budget and Research and other county agencies for their assistance. During his year of operation, Colonel Allen has had almost 100 per cent board support for his administrative recommendations. As a result, many accomplishments in the way of improved organization and procedures have been made, and legal dependence upon board approval of the C. A. O.'s administrative decisions has not in practice been a serious obstacle. Not a few of the improvements had been proposed by the Department of Budget and Research before but had been lost through lack of influence with the board or lack of a single administrator to follow up their instrumentation.

The dangers of political pressure on the C. A. O. by individual board members have not materialized, despite the fears occasioned by the ordinance basis of his office. The fact that the incumbent has retained

his civil service status as purchasing agent, while organizationally illogical, is a potential safeguard against his capitulation should strong pressures arise. Actual purchasing duties must inevitably fall more and more upon the deputy purchasing agent.

Board orders in the past have been frequently subject to several interpretations, all too often ineffectually followed up and enforced. One of the major advantages of the current experiment is the fact that such orders are now given an authoritative interpretation by the C. A. O. and enforcement becomes easier. Such an interpretation is apt to stand even against that of one of the supervisors, and the latter may find this very fact a welcome reply to a protesting department head. The department heads themselves have found that their business must ordinarily be transacted with the C. A. O. rather than with one or all of the members of the board, as in the past.

The C. A. O. has from time to time been given new duties or authorities, but the real growth of the office has been in influence with the board and the department heads, an influence which has spread very largely through informal channels. The board members have come to the realization that their decisions on administrative affairs have become more intelligent, their time freed from many vexatious details. As an illustration, the C. A. O. has followed the practice of calling the board into periodic committee of the whole meetings, with a prepared agenda that makes possible the disposal of administrative matters in a systematic manner. Though unable to delegate its administrative author-



ity, the board has in effect relieved itself of many decisions by requiring C. A. O. approval before considering such matters as budget changes, filling of vacancies, individual purchases, public works projects, award of contracts to other than the low bidder, and proposed legislation sponsored by department heads. The presence of the C. A. O. at board meetings affords the opportunity of at least tacit approval of board actions having administrative significance.

#### FISCAL MANAGEMENT

The chief administrative officer's relations with department heads, except for required budget hearings, have been almost entirely personal and informal. Formal communications during the first year, in the form of serially-numbered "administrative instructions," amounted to only some twenty-five, and consisted chiefly of announcement of board orders and prescription of new procedures. No regular reports to the C. A. O. are required, again excepting budget requests, and information desired is asked for by telephone or letter. Many of the contacts are maintained through the members of the C. A. O.'s staff, and many of the decisions are in fact theirs. It is no mean accomplishment that much of the suspicion which department heads at first entertained seems to have been allayed. Another practical argument in support of the union of purchasing agent and chief administrative officer appears here in that Colonel Allen as a "fellow department head" has upon occasion been able to elicit coöperation of his colleagues where a superior officer might have failed without call-

ing into play the big stick.

The chief emphasis of the entire C. A. O. experiment has been economy, the chief concern of the administrative officer himself, budget and expenditure control. This is due partly to alarm, on the part of the Board of Supervisors, at rising costs of government which seemed to indicate a tax rate increase, and no doubt partly to the fact that the most tangible way to "justify" such a new (and insecure) office was to save money. There is a perennial debate over the question "what price governmental economy," and without question a few of the Los Angeles County departments feel that their services have been handicapped. The long run effects of substantial reductions in the salaries of department heads recently voted by the board might well more than offset any advantages afforded by immediate savings. In any case, the chief administrative officer has been responsible for large savings in operation costs and the adoption of a 1939-40 budget which has permitted a slight decrease in the tax rate despite increased mandatory and charity expenditures totalling over \$3,000,000.

Preliminary preparation of the 1939-40 budget followed essentially the same procedure as in years past. The C. A. O.'s budget officer had been previously chief of the budget division of the Department of Budget and Research, and investigators from the latter department again worked under his direction during the analysis of estimates. The novel feature appeared, however, in the chief administrative officer's hearings with depart-

ment heads and his recommendations to the Board of Supervisors. Fortified with a general board policy that departmental expenditures be reduced 5 per cent from the previous year's appropriations, Colonel Allen was able to secure the coöperation of most department heads and approach this objective very closely.

From this picture several important facts emerge. First, board hearings on departmental requests, required by law, lasted slightly over a week in contrast to the six weeks of previous years. This was, of course, due to the board's confidence in the C. A. O. and its readiness to accept his recommendations. In previous years the board had invariably increased the appropriation recommendations of the Department of Budget and Research. Secondly, only three of the department heads took advantage of their legal right to carry their requests direct to the board following their disagreement with the C. A. O. Third, departmental appropriations were substantially decreased in reversal of a trend of steady increases during the preceding three years. The C. A. O.'s budget message of May 17, 1939, had recommended a total in departmental appropriations of \$1,500,145 less than those of the preceding year.<sup>3</sup> The final budget actually retained over \$1,250,000 of this proposed decrease.

Successful pruning of departmental budget requests by the C. A. O. was only one of the factors which prevented a substantial tax rate increase for 1939-40, however. Of equal im-

portance were the C. A. O.'s expenditure control and the specially authorized impounding of savings, which together were chiefly responsible for a \$1,115,220 increase in available surplus. By board order no new employees could be hired, no vacancies filled, and no salaries increased without C. A. O. approval. Effective control of these items, especially by demanding impelling reasons before vacancies could be filled, together with the abolition of a few positions, has produced a material saving in salaries and wages.

#### SAVINGS MADE

Savings in maintenance and operation and capital outlay have been achieved by standardization of supplies and purchasing economies, by several procedural and organizational improvements, and by C. A. O. control, expressly authorized by the board, of capital outlay purchases.

A rules ordinance amendment of January 10, 1939, laid the basis for even more effective C. A. O. control of work program allotments and capital outlay purchases during the year 1939-40.

Even with budget and operation cost savings, the tax rate was reduced from \$1.51 to \$1.4973 per \$100 only by virtue of the board's removal of large amounts from such policy items as land purchases, aid to cities, relief to special districts, and public works projects.

Unquestionably the outstanding feature of the first year's operation of the chief administrative officer plan has been the economy reflected in reduced departmental budgets and lower operating costs. The steady

<sup>3</sup>Non-general fund departments were excluded from these figures.



strengthening of expenditure control by the C. A. O. has been made possible by the continuous support of Colonel Allen and acceptance of his recommendations by the Board of Supervisors.

The Los Angeles version of county management has many features which the orthodox proponent of the council-manager plan might well be inclined to condemn. Chief among these are the lack of a charter foundation, the advisory nature of the C. A. O.'s administrative powers, his complete lack of appointment and removal authority, and his dual position as purchasing agent and chief administrative officer. It is unquestionably true that his recommendations can be ignored or his office abolished by three of the five supervisors. The vulnerability of the position in the face of political pressure is thus increased. Many problems as to relationships with other departments and as to legal procedures remain to be solved. The absence of regular departmental reports to the C. A. O. and the meagre files of that office might also be questioned.

#### VALUE OF ADMINISTRATOR PROVED

On the other side of the ledger, however, several facts must be noted. Supervisors in Los Angeles, as well as elsewhere, are seldom enthusiastic about the prospect of surrendering their very substantial administrative powers to a county manager. As an entering wedge, a chief administrative officer, completely subject to board direction and control, might well have been the most that was attainable. Colonel Allen's first year demon-

strates that much can be accomplished under this formula while board confidence and support are enjoyed. Careful recommendations made by the research arm of the county government have more chance of being put into effect today than ever before. Financial management has been immeasurably improved. An existing merit system of course destroys any pressing need for appointive powers.

Of perhaps greater significance is the fact that the board members have come to recognize the value of a single manager. They have been relieved of many hopelessly minute administrative details. This relief is not complete, however, because of legal requirements which can be removed only by a charter amendment delegating administrative authority to a county manager. Chairman Jessup of the Board of Supervisors apparently reflected the unanimous opinion of the members when he stated recently that he would never again consent to operate without an administrative head. While political prophecy is dangerous, all indications point to board support of a charter amendment in 1940 making the manager's position an organic one. A carefully drawn amendment might well place Los Angeles County in the position of demonstrating to the nation that a full-fledged council-manager plan will work in a complicated governmental jurisdiction of several million people. If such is the outcome, no small measure of the credit must be accorded Chief Administrative Officer Allen and his first year's record.

# English Local Government Faces War

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*Urgency of task in enforcing air raids precautions act responsible for important deviations from regular procedures which may work permanent changes in English local government setup.*

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By C. HERMAN PRITCHETT  
U. S. Department of Labor

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THE practice of modern totalitarian warfare gives every warring nation a home front almost as much exposed to danger and destruction as the front lines, and requires the governments of threatened countries to undertake elaborate precautions for protecting their citizens from air raids.

In England such a program was delayed much longer than was wise; it was not until December 1937 that Parliament passed the air raids precautions act in a first attempt to lessen the vulnerability of an island no longer protected by the English Channel and the British navy. Activity under this act, carried on with traditional British lethargy at first, was enormously stimulated by the shock of the Munich crisis and the invasion of Czechoslovakia; and the outbreak of hostilities found Britain in a fair state of preparedness for attacks from the skies.

The administrative task involved in a program of civilian air raid defense was a governmental responsibility of the first order. The theory of the ARP act was that a major part of the work would be carried out by the local authorities under the supervision and control of, and with the assistance of financial grants from, the central government.

This is the typical central-local relationship found in English administration of highways, public health, police, and other local activities—a relationship which has permitted the English a measure of local self-government unknown elsewhere in Europe. However, in ARP work the urgency of the tasks and the conditions under which their administration would have to be carried on in war time were responsible for important deviations from regular procedures, deviations which may work permanent changes in the governmental pattern of England. It is this situation which makes ARP administration of particular interest to students of government.

The ARP act of 1937 required the principal local authorities (counties and county boroughs) to prepare schemes "for the protection of persons and property from injury or damage in the event of hostile attack from the air, and as to the authorities and persons by whom such arrangements are to be carried out." The schemes contemplated were to cover such fields as fire precautions through the securing of auxiliary fire equipment and the training of auxiliary personnel; organization of air raid wardens; the provision and planning of hospital facilities, medi-



cal and nursing service, and medical equipment; the listing of housing accommodations in relatively safe areas to which the women and children of the cities could be evacuated, and preparations for such evacuation. Schemes prepared by the local authorities were to be submitted to the central government for approval and grants of funds.

#### DIFFICULTIES ENCOUNTERED

Progress of air raid preparations under this arrangement was at first dangerously slow and inefficient. For this state of affairs there were several reasons. Some of these arose out of the provisions of the act, which gave no extraordinary powers to either the national or local authorities for the compulsory entrance on, control of, or acquisition of property. The financial grants to local governments were inadequate and lengthy arguments took place between Whitehall and the local councils over the payment for necessary work. The ARP department of the Home Office, responsible for directing the work of the local authorities, did not operate smoothly or wisely. It had difficulty in securing competent personnel from the civil service. There appears to have been an oversupply of ex-service officers who could visualize no problems except gas, and the result was an over-emphasis on gas precautions which armed the civilian population with gas masks and nothing else to meet the Munich crisis.

A most important factor in the delay was the attempt of Whitehall to maintain the same type of control over financial grants as was kept

over grants for the regular and non-emergency activities of the local governments. An excellent system of approval of expenditures, audit, and inspection has characterized English administration of grants-in-aid, but it was completely impractical for an overworked Home Office to attempt to apply the same controls when a country-wide emergency program was being inaugurated. Inevitably, when the test came, requests from the local authorities for guidance remained unanswered, authorizations to spend were delayed, and local councils, denied financial control and responsibility for the safety of their citizens, were driven to making such arrangements as they could on their own account. According to one competent analysis of the situation, "The system as it was built up infringed the most elementary rules of large-scale organization. It threw an impossible burden on the center and divided responsibility at the points where rapid and coherent action was essential."<sup>1</sup>

Certain characteristics and weaknesses of local government organization in England played their part in the initial delay. Of considerable importance is the fact that the town clerk and his staff, who furnish the coördination and much of the direction for municipal affairs, are legally trained. They are competent officials for ordinary functions, but are scarcely likely to possess the organizing ability needed for an emergency task of this nature.

Because of this fact, in many areas the ARP responsibility was

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<sup>1</sup>*Planning*, No. 132 (Oct. 18, 1938).

placed on the chief constables, who are reported to have done notably better at this administrative task than the town clerks. In the all-important London area, however, the metropolitan boroughs have no police officers, since their policing is in charge of the Metropolitan Police Commissioner directly under the Home Office. Experience of this sort indicates why English students of government are taking an increasing interest in the city manager form of organization.

#### COMMITTEE SYSTEM SLOWS WORK

The extent to which English local government is operated by committees also had some bearing on the situation. There is, of course, an excellent case for the committee system. The committees of English local councils have been effective instruments in making representative government a reality and in enlisting the valuable and unpaid participation of public-spirited citizens in municipal affairs. On the other hand, committees have very definite shortcomings, which are particularly evident when they are required to direct or to be responsible for quick and decisive administrative action. The tendency to make important committees unduly large emphasizes this weakness — witness the education committee of the Lancashire County Council, numbering seventy-two, or the public assistance committee of Liverpool, composed of no less than ninety members. It is not surprising that in the instructions which the Home Office sent out concerning the setting up of ARP committees, the local authorities were asked to keep

them as small as possible.

The committee system has other potentialities for delaying action, such as the chance of disagreement between two committees of the same local authority. A case was reported during the Munich crisis, where the parks committee of one authority refused to permit the ARP committee to dig shelters in the parks, and a full meeting of the council had to be called to break the deadlock.

Another factor making difficult the effective organization of local ARP services is the existence of a congeries of local government units, whose arbitrary boundary lines cut across the unity of metropolitan areas and raised an urgent problem of co-operation between neighboring authorities. An example is the urban area of Tyneside, where in a region not much larger than the city of Birmingham there are no less than sixteen local authorities responsible for the administration of all or some of the local government services. These units include two counties and four county boroughs, all six of them ARP authorities under the act. In such a situation coöperation in meeting the common regional danger was essential, but only the most elementary steps were taken in this direction.

The protection of London, all-important to the defense of the country, was rendered particularly difficult by the complex governmental picture in the metropolis. Fortunately the London County Council whose authority extends over a great part of the metropolitan area, is responsible for certain of the services of greatest importance in air raid de-



fense. It controls the public hospitals and could effectively plan for the use, removal, and re-establishment of these institutions, as well as for ambulance service and nursing. The council controls the London fire brigade, and so was in a position to arrange for its expansion and the securing of auxiliary fire protection, including the training of personnel. It likewise is responsible for the educational system in its area, and could do its part in the evacuation of children to the country.

#### RED TAPE CUT

On the other hand, the important air raid warden system, the provision of public air raid shelters, the arrangements for first aid and stretcher parties, and other essential services, were not responsibilities of the London County Council, but of the twenty-seven metropolitan boroughs and the city of London, which are the primary units of local government in the London area. After a period of experience with this system, the metropolitan boroughs, overwhelmed by the impossibility of coördinating their separate ARP services, urged the Home Office to transfer responsibility for the air raid warden service to the Metropolitan Police Commissioner. Or, alternatively, they suggested a still more drastic step, the creation of a special authority or department to assume responsibility for air raid precautions in the entire London area. The Home Office refused the suggestion, saying, however, that an organization of this kind would operate after the outbreak of war.

The acceleration of ARP work

after Munich was the result of a different national temper and an appreciation of the emergency nature of the task. Out of this new attitude grew a willingness to modify governmental machinery as needed to achieve a measure of the preparedness required. The most important moves looked toward bringing the central and local authorities closer together, and decreasing the amount of red tape that separated them. Both the Home Office and the Ministry of Health took important steps toward decentralizing their administration, appointing regional officers throughout England or strengthening existing regional staffs, so that projects could be approved on the spot and the local authorities could receive more effective aid in planning protective measures.

But the regional approach to ARP administration was carried further. England was divided for defense into ten regions, with Scotland and Wales comprising two additional regions. Regional commissioners who were to be responsible for coördinating and controlling the defense measures of the local authorities, were appointed for each of these areas. In peace time the powers of the commissioners were limited. They were to get in touch with the local governments in their regions, and for this purpose regional councils were to be set up, under the chairmanship of the commissioner, such councils to include representatives of the local authorities and the regional officers of the various central government departments. In war time, however, the commissioner was to function as the all-powerful deputy of Whitehall,

representing the central government in his region. In case of serious damage to the communications systems of the country, each region would function as a self-contained unit under the direction of its regional commissioner.

Now that war has come, it seems probable that the headquarters of the various regions will become in a real sense subcapitals of England, centers of regional administration. Occupying a place midway between the central government and the local authorities, this regional approach may result in nothing less than the establishment of a new level of government in England. The prevailing trends and the necessities of the war period point in this direction. As far as the central government is concerned, the need is for decentralization. The concentration of control in Whitehall is a clear danger in war time, making possible a knockout blow by the enemy. But even in peace the affairs of a nation cannot be administered from one point, even in so small a country as England.

#### NEED FOR COÖRDINATION

On the local government side of the picture, the need is for an increasing coördination of the activities of local authorities, which can come only by direction and pressure from above. This function has been performed to a certain degree by the field officers or inspectors of the central government departments. But the difficulty is that these officials are concerned only with segments of each local authority's activity—the Board of Education inspector with the schools, the Ministry of Health in-

spector with public health or housing, the Home Office inspector with the police force, and so on. There has been no central government official charged with the duty of co-ordinating all local government activities in a particular area or region, as the new commissioners are required to do in the field of civil defense. There has been, as T. S. Simey wrote, a "missing link in the chain . . . between the representative local authority and the central department."<sup>2</sup> In the new system of regional commissioners a step in supplying this link has been taken.

Interestingly enough, this whole process was foreshadowed in 1934, when a commissioner for the Special Areas was set up by Parliament to undertake a policy of economic and social improvement in certain distressed areas through the allotment of funds and the encouragement and coördination of local efforts. On the basis of his experience in this position, the commissioner, in his most recent report, raised the question whether there was not a permanent need for the employment of such machinery generally in matters which are the joint concern of both national and local administrations. He said:

With the growth of legislation new duties and responsibilities are put on local authorities and at the same time government departments in Whitehall become more specialized. Experience in the Special Areas has shown both that valuable assistance can be given by a district commissioner who is

<sup>2</sup>T. S. Simey, *Principles of Social Administration*, Oxford, 1937, p. 171.

(Continued on Page 813)



# County Disorganization for North Dakota

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*New law paves way for abandonment of county government where population less than four thousand; few counties eligible to act but law gives impetus to further study of county problems by legislators.*

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By **KENNETH WERNIMONT**

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THE wrecking of a building except to make way for new construction is seldom thought of as progress. There are times, however, when the building is so weak in its foundations and so unworthy in its outward appearances that the level ground is both safer and more becoming to the community. Few precedents exist for the dismantling of a county government. Legal and political concepts of the past have always reflected the pioneer spirit of expansionism whenever they have dealt with the subject of governmental subdivision. Thus the enactment of legislation which actually aims at the disorganization of counties is a novelty. It is one more device for accomplishing by more or less indirect means that which county consolidation laws are intended to accomplish directly.

The last session of the North Dakota legislature passed a law<sup>1</sup> which would enable counties to disorganize their present county governments and to become attached to adjoining organized counties for the performance of essential functions. It is hoped that this will provide a technique by means of which some of

the thinly populated counties of the state will be able to cope with a progressively declining tax base and an increasing rate of tax delinquency with the inevitable rise of floating and bonded indebtedness.

Maintenance of public offices required by the constitution of the state and statutes dealing with county government is no longer justified in some places, either by numbers of people to be served or by economic ability to pay taxes. There are apparently certain other counties with the necessary machinery already set up to undertake the performance of minimum functions of local government supervision within the territory to become unorganized. This was the relationship of many of the early counties in the state before county lines and county pride had become fixed.

The disorganizing procedure would be set in motion by means of a petition signed by 20 per cent of the electors of the county and filed with the Board of County Commissioners. If filed more than ninety days prior to the next general election, the question would be submitted to the people at that election. If not, it must carry over until the following election.

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<sup>1</sup>Chap. 122, North Dakota laws 1939.

As a preliminary step, the state examiner would be required to make an immediate audit of the finances of the county which would include a statement of taxable value, a statement of assets and liabilities, a statement for the last preceding fiscal year showing the budget, the amount of taxes levied, the expenditures made and the obligations incurred, and any other pertinent information.

Should the election result in a favorable vote for disorganization, that result would be announced by proclamation of the governor and the county would be considered to be disorganized on January 1st after the proclamation. The governor is required also to designate an adjoining organized county to which the unorganized county would be attached, and the attachment would likewise become effective on the following January 1st. There is an alternative provision for the selection of the adjoining organized county by resolution of the county commissioners of the unorganized county together with a similar resolution of acceptance passed by the county commissioners of the organized county.

#### COMPENSATION FOR OFFICERS

The attachment would be effective for all "judicial, record, and taxing purposes, and for all purposes connected with county government." To that end the officers and employees of the adjoining organized county including the Board of County Commissioners are given the same powers and jurisdiction with respect to the unorganized county as they possess within their own county. Additional compensation is provided for each

elected officer in the sum of \$30 per year for each one thousand in population or major fraction thereof contained in the unorganized county. The added salaries are to be paid from taxes levied in the unorganized county as are the premiums for increased bonding requirements.

The abolition of all county offices, specifically defined to include both elective and appointive offices, is provided for when the county becomes disorganized. Payments equivalent to salaries and other compensations customarily paid to officeholders are to be made until such time as their successors would take office except for the disorganization. The law also states that if there should be any officeholders with an indefinite term, the payments to them are to continue for only one month after the disorganization. Payment of one month's salary is provided for those who are elected to offices but do not assume their duties because of the abolition of the offices prior to the commencement of the term.

Provisions for removal of moneys, property, files, records, and other material from the courthouse of the unorganized county to that of the organized county are not unlike those in county consolidation laws. All money, property, and records are to be kept separately, however, and the organized county holds title to them as trustee for the unorganized county.

The organized county to which an unorganized county is to become attached must be in the same judicial district. This facilitates the transfer of cases pending in the district court from one county seat to the other.

County court matters are transferred to the county court in the organized county and justice court matters go to the justice of the peace in the organized county whose office is nearest the county seat. Judicial and other legal notices must be posted in the unorganized county in the same way as they would be in an organized county and published notices must appear in a newspaper in the unorganized county, if there is one. Otherwise they are to be published in the official newspaper of the organized county.

The unorganized county continues in the same legislative district with the same representation. The levying of taxes is conducted by the organized county for the unorganized county according to the usual procedure, and while this power to tax is specifically subjected to the statutory limitations imposed upon tax levies in counties generally, it is likewise stated that the organized county is in no way to acquire any financial obligation or burden by reason of the attachment.

There is an alternative procedure for carrying out the disorganizing process in the event that the initiating petition contains the names of more than 50 per cent of the qualified electors of the county. In that case the disorganization would come about through a decree of the district judge after the holding of hearings. An appeal to the State Supreme Court would be allowed at any time within twenty days of the filing of the district judge's decision and decree. After the expiration of the time for an appeal, the clerk of the district court would notify the secre-

tary of state and further steps would be taken as though an election had been held.

As a matter of fact, only a few of the North Dakota counties are eligible to take advantage of the new law since its use has been confined to counties having a population of less than four thousand. Billings County in the southwestern section of the state is one county meeting that requirement. Some light may be cast upon the expediency of the disorganizing enabling act by a brief review of the problems which face the county board there.

#### DECREASED INCOME

The first point to be noted is that the county's tax base has been reduced by about two-thirds of what it was ten years ago. There are several reasons for this reduction. For one thing, the legislature in 1931 reduced the assessable valuation of property from 75 per cent of the true valuation to 50 per cent of the true valuation. To this must be added the progressively increasing amount of tax delinquency during recent years. Then there has been a considerable amount of land purchased by the federal government in its program for the retirement of submarginal land and in the land adjustment projects for grazing.

Significant also is the falling off in real estate valuations to the extent of a little more than 43 per cent between 1934 and 1938. The percentage of decline would be still greater except for the fact that much of the federal land purchases were in areas of exceptionally low values.

The county budget, on the other



hand, is one that calls for a number of fixed expenses such as salaries made mandatory by law, payments for the care of the insane, poor relief, operation and maintenance of buildings, and other similar items. For the fiscal year 1938-39 the budget adopted by the board called for general government expenditures of \$26,600. The original estimate of general fund expenditures for the year had been \$33,066, and it was indicated that many of the items which were cut could not possibly be kept within the reduced budget. Additional budgets of \$4,650 for road and bridge work and \$3,000 for unorganized township road funds were adopted making a total for the year of \$34,250.

Two things make the raising of this minimum amount of money impossible. First of all, the statutory levy limitations when applied to the present reduced tax base would raise only about half the required amount. Then, even if the tax levy limitations did not interfere, there is the further certainty that about half the currently levied taxes will be uncollected at the end of the fiscal year.

#### DEBT FIGURES HIGH

But the failure to meet current expenditures is not the only problem that faces Billings County. If it could manage somehow to pay as it goes, it would still be faced with a net total of floating and bonded indebtedness of \$76,377. These figures foretell the future of the county with discouraging eloquence.

The financial picture, as bad as it is, becomes even worse in the light of other more general facts. Popu-

lation in the county, for example, has decreased from 3,140 in 1930 to an estimated 2,500 in 1938. This leaves an average of 2.12 persons per square mile, and it is estimated that 72 per cent of them are receiving some kind of public assistance.

Topographically speaking, the land in the county is rough. The Little Missouri River crosses through it and the so-called "Badlands" extend for some distance on either side of the river. The Badlands are adapted only to grazing. It is reported that cultivated land in the county decreased from more than 100,000 acres in 1937 to about 77,000 in 1938.

Obviously Billings County does not meet the requirements for an economical unit of government. It lacks the tax base, the population, and the natural resources to successfully support a county government with the full dress required by existing constitutional and statutory measures. Complete consolidation with some one or more neighboring counties under the old consolidation law passed in 1933 and amended in 1939 offers one solution. There appears, however, to be some feeling in the county that complete consolidation would result in excessive taxation of the grazing land, which represents the prevailing land use, by reason of the fact that neighboring counties with whom they might logically consolidate are to a greater extent farming areas. There is also some doubt about whether the necessary 60 per cent vote could be obtained in any neighboring county to

(Continued on Page 796)

# Saginaw: A Lesson in Coöperation

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*Citizen organization proves important asset in securing and keeping good government under city manager charter; cooperation the keynote in all municipal activities.*

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By PRISCILLA C. KLINE, *Public Schools, District of Columbia*  
and  
HOWARD M. KLINE, *University of Maryland*

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EDITOR'S NOTE.—This is the first of two articles on the operation of the city manager plan in Saginaw, Michigan. The second, dealing with accomplishments under the manager plan, will appear in the January issue of the REVIEW.

IT HAS often been said that in general citizens get the kind of government they deserve or demand. Yet all too frequently those really interested in improving city administration fail in their demands because they lack the organizing capacity possessed by a relatively small number of local politicians. The experience of Saginaw, Michigan, should present a challenge to those citizens of indifferently governed communities who are content to voice their protests only in wishful thinking and armchair philosophizing.

The progress made in Saginaw under its new (1936) charter, its efficient city manager, and its outstanding city council form one of the brighter chapters in the administration of city government. But back of this era of prosperity there is another story—a story of how Saginaw obtained its “model” charter, how it supports its city manager and his judicious policies, how it

continues to keep in office men of ability regardless of their political affiliations.

Some idea of the governmental experience of Saginaw prior to the adoption of its 1936 charter seems necessary for purposes of contrast. The general story of its government and political background is not peculiarly different from that of many American cities. From the time of incorporation in 1889, through 1913, Saginaw's charter provided for a mayor-council form of government. Apparently sectional strife, jealousy, and the presence of political cliques aroused a substantial number of citizens, who thought a change in governmental form would provide a solution. A few minor scandals may have contributed to the upset. As Saginaw ranked well in general credit and had a relatively low tax rate, however, its government was probably not conspicuously bad.

Advocates of reform expected that their ideals would be realized through the adoption of the then fashionable commission form of government, which started operation in January 1914, but partisan strife was not eliminated. An effort to return to mayor-council government in 1920 was defeated at the polls, and Saginaw continued to be governed by its

1914 charter and five commissioners. Change of governmental form had not solved the problem.

By 1934, when charter revision was again suggested, texts on municipal administration had long since conceded that practical weaknesses of the commission type of government were the frequent inability of the commissioners to coöperate and their penchant for operating each department as a separate agency with little or no coördination.

Of these failings Saginaw was an apt illustration. The bickerings and personal feuds among members of the Saginaw commission-council, and the resultant loss to the city in services and governmental costs, became apparent to all people who read the *Saginaw News*. Across its pages were spread the stories of petty jealousies, angry imprecations in council meetings, and a feud between two commissioners which lasted well over two years and included impeachment proceedings, a grand jury investigation, numerous public hearings, and threatened recall of the entire commission.

The nature of the conflict is apparent from the fact that a grand jury investigation resulted in no formal charges, and impeachment proceedings ended in a statement from the State Attorney General that he would "not even bother to make a report" to the Governor, since it was the policy of his department to "allow these local political squabbles to be settled politically in the locality where they arise."

While this quibbling continued, public issues such as tax collection, relief, adequate money to pay police-

men (first ordered dismissed and then retained without salary provisions in the budget), liquor license administration and control, reassessment, and the rebuilding of the city hall (destroyed by fire in April 1935), were postponed, disagreed on, reconsidered, postponed further, and finally decided upon, if at all, in terms of personalities. Disgusted property owners suggested a fifteen-mill tax limit, and although the administration alleged that, should it be adopted, city services would have to be curtailed to a crippling extent, the voters approved the limitation measure by public referendum.

Meanwhile, the noise and confusion had resounded in the offices of several successful business men who could not understand why running a city efficiently should be much harder than running a big business successfully; it had reached the homes of many a taxpayer who wondered for what he was paying; it had given the *Saginaw News* ample campaign material to boost the cause of charter revision; it had given the Saginaw League of Women Voters a challenge worthy of their best efforts.

The move for charter revision gained impetus during 1934. A new group of young business and professional men, allied with the Board of Commerce, had previously requested that the commission include a referendum on charter revision at a special election already called for another purpose. This request was not granted. The Board of Commerce then announced its determination to get an expression on charter revision from the people by means of initia-



tory petitions calling on the commission to submit the question to the voters. Such petitions, "contemplating an aldermanic form of government" or a modification of it, were circulated as early as February 1934. Sufficient signatures were duly recruited and the proposition was ordered on the September primary ballot.

#### CAMPAIGN SUCCEEDS

During the summer of 1934 the *Saginaw News* carried on an active campaign for charter revision in which it pointed out charter weaknesses with ample current illustrations of lack of coördination and its cost to the taxpayers. When one commissioner proposed that the council vote a \$30,000 bond issue to finance charter revision, and a second commissioner labeled this act as an attempt to bring about the defeat of revision, the *News* re-echoed the charge pointing out that Flint had revised its charter at a cost of less than \$5,000 and added: "It is possible that those who proposed it (the \$30,000 appropriation) are not unmindful of the public alarm that discussion of such expenditure would occasion."

The Civic Economy League, originally organized by a few business and professional men to defeat a proposal for a municipal lighting plant (also to be decided on at the September primary) turned its efforts toward charter revision as a means of ousting the incumbent commissioners and their proposed "schemes." The League soon obtained the names of twenty men who would be willing to serve as charter revision commission-

ers without pay, and this number was augmented from time to time. While its membership grew to over one thousand persons, the league propagandized through leaflets, speeches, meetings, and "personal contacts."

Charter revision was voted in September 1934, and nine charter commissioners were subsequently chosen—all of whom had been on the list of those agreeing to serve without pay endorsed by the Civic Economy League. Saginaw was fortunate in having among its citizenry at least nine outstanding men whose interest in better government was unselfish, whose names were known to the community through previous public service, whose business success reflected ability, and who were willing to be guided by authorities on public administration. Of the nine only one had previously held an elective public office, though a number had served the city well in promoting welfare organizations, the YMCA, and other community enterprises.

These original nine members included a popular retail grocer, the head of an automobile agency, the president of a local lumber company, an attorney, a retired manufacturer, a music teacher-accountant, the president of a wholesale company, a manufacturer, and a successful real estate man. Soon after commencing work the real estate man resigned (for business reasons), and was succeeded by the president of the foundry workers' council at a local automobile plant.

The charter commission selected as its chairman Mr. Arnold Boutell, whose services on the Welfare Board were well known, and whose business

ability and leadership were highly respected. A wealthy, retired manufacturer, Mr. Boutell had much time to devote to a task which appealed to him. He began a study of city charters, made trips to various cities to obtain information on the operation of political theories, and consulted with Harold D. Smith, then director of the Michigan Municipal League.

#### MANAGER PLAN FAVORED

As a result of careful study, Mr. Boutell is reported to have been convinced of the advantages of the manager plan. Respect for his opinion and findings apparently were factors in convincing some of the other commissioners who had favored a return to the aldermanic form of government. There was some feeling that the voters would be suspicious of the city manager form, and that it would be better to get their approval for less sweeping changes than to risk losing all by submitting a charter in which the public lacked confidence.

But differences of opinion among the charter commissioners on this, as on other issues, were ironed out quietly, objectively, and with little publicity, and when the commissioners announced their preference for the city manager plan, the statement was issued as their unanimous opinion.

The Charter Commission worked with the advice of Harold D. Smith and Attorney Raymond Kendrick. Its method of procedure formed an interesting contrast to the dissension among the city commissioners and its attendant publicity. Among the charter commissioners there was no lack

of debate on issues, but such argument occurred impersonally and with little publicity, and when a public announcement was made, the commissioners authorized the chairman to make it and gave unanimous approval. The requests and advice of special groups were heard, but in each case the petitioners found the commission well informed on the subject under discussion.

The charter commissioners yielded to no pressure by or for special groups, and could not be compromised individually or as a group. Veiled threats to defeat charter adoption unless special considerations were made did not deter them from including in the charter only what seemed consistent with practicable and accepted standards.

As the work of the charter drafters neared completion, several agencies renewed their efforts to inform the voters of the charter's merits. Since the charter was ultimately accepted by only a narrow margin of votes, these agencies are entitled to much of the credit for its adoption. It is generally agreed that the League of Women Voters exerted a tremendous influence. Starting with its own members as a nucleus, the League contacted hundreds of women throughout the city who were members of other clubs, and organized some seven hundred women for duty. These women made house-to-house calls in all wards of the city. With them they carried copies of the proposed charter and other "educational" information which pointed to the shortcomings of the present administration and made the advan-

tages of the new charter understandable and attractive.

Members of the League of Women Voters knew enough about practical politics to realize that no government is better than its personnel, and that charter revision, of itself, will not guarantee a model government. But sponsorship of individual candidates is not permitted in the name of the league. Thus many members became prominent, as individuals, in the establishment and functioning of a Citizens Committee, composed of representative men and women from all groups in Saginaw. This committee not only worked for charter adoption, but also participated in a campaign to draft and elect the charter commissioners as the first council to operate under the new charter.

The League of Women Voters and the Citizens Committee acted as coordinators for the efforts of other civic groups working for charter adoption. These included the Saginaw Citizens' Protective League, which started as a tax-protest group "to guard the public against nefarious activities at the city hall"; the Civic Economy League, originally founded to oppose a proposed municipal lighting plant; the Board of Commerce; and various luncheon clubs.

The *Saginaw News* gave full publicity to the activities of all these groups, and carried on a vigorous educational campaign of its own. Statements from the charter commissioners were solicited, criticisms from opponents were asked and then refuted, almost daily attention was focused on the wranglings of the incumbent commissioners, a question

box on the charter was established, numerous man-on-the-street opinions were printed, and a vigorous editorial campaign waged which in the days immediately preceding the election was shifted from the usual editorial page to a double column in the center of the front page. Copies of the charter were printed as a special supplement to the *News*, and its advantages were simply explained with illustrations of the benefits to the taxpayer in lower costs and better services.

Those enthusiastic for charter revision laid the many shortcomings of the existing government at the door of the old charter. Among the charges against the old government and the advantages claimed for the proposed change were:<sup>1</sup>

1. Coöperation difficult with authority and responsibility divided;
2. Work of commissioners inequitably divided and job classifications haphazard;
3. Purchasing power vested in several heads, identical supplies purchased separately for each department;
4. Duplication of accounting systems increased government costs;
5. Commissioners play politics to discredit colleagues and to perpetuate themselves in office;
6. Tightly drawn charter restrictions make it impossible to transfer surpluses from one department to remove shortages in others;
7. Appointing power of commissioners makes city jobs political spoils after each election, merit system substituted in new charter;

<sup>1</sup>This summary was compiled from statements made by the *News*, the legal counselor to the charter commission, and the various groups working for charter revision mentioned above.



8. Cumbersome accounting methods, some prescribed by old charter to provide several checking systems unnecessary and costly;

9. Much duplication in preparation of annual tax rolls, permanent record cards would curtail work;

10. Budgets made by five commissioners, each of whom is afraid to question items of other departments for fear his own budget will be cut. Budget reviewed by Board of Estimates, appointed and dominated by commission, and therefore impotent.

The outstanding features of the new Saginaw charter are its clarity and brevity—less than twenty-two pages or approximately seven thousand words. The broad grant of power given the council provides that it may do all things permitted or required by the constitution and laws of the state, except as expressly limited in the charter. The nine councilmen and justice of the peace are elected. The council hires a city manager, “solely on the basis of his executive and administrative qualifications,” and its discretion is not made reviewable. All other city officials are appointed by the manager and their compensation fixed by the council. The charter specifically forbids the council to “direct or request the appointment [of any person] to or his removal from office or employment by the manager or any of his subordinates,” or, except for investigation, to deal with the administrative services or give orders to any official other than through the manager.

Other features of this “model” charter, to which some cities have referred when revising or rewriting

their charters, are: elimination of the pre-election primary for nomination of candidates, low pay for councilmen to discourage candidates from seeking office as a means of livelihood, a bureau of public information and complaint, councilmen elected at large, bonds issued only by vote of people, except for special improvement bonds chargeable directly against benefited property, special chapter on public utility franchises, provision for job classification and for appointments on the merit principle, initiative, referendum and recall, retirement pension systems for firemen and policemen, and the 15-mill tax limit.

#### POLITICAL OPPOSITION

The opposition to charter adoption centered around organizations of some of the present and former city officials and old-time political leaders who feared that a change in administration would cost them their jobs or political spoils. The *News* pointed out that their campaign was financed by assessments on city employees. Anonymous circulars containing false or misleading statements charged that the new charter would result in a “dictatorship,” that the cost of administration would double, that in all legislation “the manager would be the court of last resort,” that the manager might be a total stranger “coming from a foreign country,” that a special assessment provision in the new charter was an evasion of the 15-mill tax limitation.

The vigor of the campaign is indicated by the fact that the voting on the day of charter adoption increased 37½ per cent over the number of

votes cast on the charter revision proposal of a year before. The margin for charter revision had been better than two to one (34.53 per cent of the total vote). The margin for charter adoption was 326 votes, or only 3.59 per cent of the total.

#### COUNCIL PERSONNEL

The nine charter commissioners led the primary in the race for council seats, and were later elected as the first council after a vigorous campaign by the Citizens Committee. Eight of these nine councilmen still remain in office.<sup>2</sup>

The importance of the personnel of the city council can scarcely be overemphasized, since the charter leaves so much to the discretion of the council and the manager.<sup>3</sup> The council would not be swayed by political pressure, and canvassed the field for the best city manager available. After considering approximately forty prospects, it chose the able L. P. Cookingham, then city manager of Plymouth, Michigan.

Having chosen Mr. Cookingham as an expert, the council has unqualifiedly accepted his advice on administration. Matters of policy are sometimes warmly debated, but not matters of administrative technique. Relations between council and man-

ager resemble those of the president and board of directors of a well run business corporation. The council has confidence in the manager; the manager is solicitous of the desires and needs of the community as expressed by its elected representatives. No fireworks, no balking of plans for community welfare in order to gain personal recognition; no jealousy, on the part of council members, of the manager's prestige, or aspiring toward his job.<sup>4</sup>

The council chooses from among its own members a mayor who represents the city on all ceremonial occasions. Yet the manager is not removed from direct contact with the people. Through his open door come dozens of citizens who air their views or state their problems and usually go away with renewed confidence in their government.

Since councilmen are elected at large, pressure from constituents for personal favors or special benefits to particular sections of the city is minimized. The dispensing of patronage is made impossible by the merit system, and politics do not determine contract awards, which are made to the lowest bidders. While differences of opinion are known to exist among the individual councilmen, they present a united front to the public. Even in making campaign statements, the councilmen running for re-election have consistently issued joint statements emphasizing the record of the entire council, instead of

<sup>2</sup>One councilman died, and this vacancy was filled by a dentist. At the 1939 election he was not available for re-election and an insurance man, endorsed by the Citizens Committee, was elected.

<sup>3</sup>On the night the charter was adopted, it was reported that the incumbent mayor told a group of citizens at a public gathering in a negro ward that if they would stick together and vote together they would have enough power to control the nine-man council provided for in the new charter.

<sup>4</sup>The charter provides that no councilman may become eligible for appointment as manager until at least two years subsequent to the termination of his service on the council.

pointing out individual achievements which, incidentally, are not a matter of record.

What of opposition forces after three and one-half years under the new government? A few of the old names appear at election time. They plead for more discussion of policy by the council at public meetings rather than at the council's informal or committee meetings. They urge that purchases of city supplies should be made from local merchants exclusively, rather than from the lowest bidders, if outsiders. They believe that local "talent" should have the posts of city manager and the other few offices filled by outsiders with specialized training. They continue to campaign for a better water supply and for a municipally-owned electric plant—measures the feasibility of which the council and manager have been carefully studying for months. But the greater number of administrative assistants and employees have been kept in the city's employ by the manager, and these people seem to be thoroughly loyal.

Our political history abounds in illustrations of hard fought reform movements whose results were all too transient after the watchful eye of the public had been removed. A new government may bloom and flourish under watchful care, but when the drama of crusading has ceased to exist, too often public interest wanes. No news or excitement in every day government routine! But politicians do not forget, and those who have enjoyed personal profits at public expense are veritable termites who eat their way back through devious

subterranean approaches not apparent to an unsuspecting public.

To offset such inertia on the part of the public, the League of Women Voters annually sponsors a dinner to which several hundred representative citizens are invited, along with the more important city officials. At this dinner municipal officers are honored, the outstanding achievements of the year are reviewed, and a speaker of recognized authority on public affairs discusses modern trends or problems of city government. Public officials are made to feel that their services are appreciated and recognized, and a large group of citizens is kept informed, and is held together as a nucleus should its services be needed. Many of those attending are members of the Permanent Saginaw Citizens Committee, which springs into action before each municipal election. The personnel of the city council, a tremendous factor in Saginaw's progress, is directly attributable to the efforts of this group.

Thus Saginaw, split by factional strife for years, sets an example in coöperation: coöperation in the writing of a model charter, coöperation among its reform groups and citizens in getting the charter adopted, coöperation between council and manager in following a well defined program, coöperation by its Citizens Committee in sponsoring public-minded candidates for office, coöperation among its citizens, led by the League of Women Voters, in making men feel that unselfish public service is appreciated and that professional politicians are not the only ones who can organize and get results.



# Where to Put the Traffic Engineer?

*Authorities in the field favor department of public works rather than police department if separate traffic engineering bureau not feasible.*

By JOHN ACKERMANN and JOHN THURSTON  
*Northwestern University*

WHEN cities didn't have traffic engineers, they didn't have to worry about where to put them. Now that the traffic engineer is a modern necessity, the chief executive and the city council are obliged to face the administrative problem of what to do with him. Should he be made the head of a little duchy of his own, answerable only to the chief executive? Or should he be placed in one of the existing departments? And if so, which?

Stimulated by a controversy in Evanston, Illinois, we asked the opinions of a number of the outstanding authorities on traffic engineering in the country. Their replies were so thorough and painstaking that it seemed almost obligatory to summarize them for publication. The seven authorities who stated their opinions were Burton W. Marsh, director of the Safety and Traffic Engineering Department, American Automobile Association; Harold F. Hammond, secretary-treasurer of the National Conservation Bureau; George Barton, director of the Safety and Traffic Engineering Department, Chicago Motor Club; Earl J. Reeder, chief traffic engineer of the National Safety Council; D. Grant Mickle of the Traffic and Transport Department, Jensen, Bowen, and

Farrell; Miller McClintock, director of the Bureau for Street Traffic Research, Yale University; Thomas J. Seburn, city traffic engineer of Kansas City, Missouri.

Before examining the opinions of the authorities, it may be well to list briefly the duties of the traffic engineer. These are usually as follows:

1. Keeps and analyzes accident records to determine the location and causes of traffic accidents. Maintains a spot map showing where accidents occurred.
2. Makes surveys and investigations to measure the flow of traffic and the facilities for carrying it. Makes studies of traffic movement to measure vehicle and pedestrian volume and fluctuations; origin, direction, and destination of traffic; speed and delay of vehicles; cordon statistics; parking practices; street car, bus, taxi, and railroad routings and their relation to traffic movement; existing truck and passenger vehicle routings; adequacy of streets to carry traffic; hazardous conditions; traffic violations; etc.
3. Prepares plans for the better utilization of existing facilities and for changes, improvements, and new construction which will increase traffic safety and mobility. Locates through streets, highway routes, one-way streets, and street-car and bus routes; plans and supervises the installation of traffic signs, signals, markings, street

lighting, medial strips, safety islands, loading zones, taxi stands, parking meters, etc.

4. Consults with the engineering division and the city planning committee with respect to the planning, design, and construction of new streets and traffic facilities and in the repair and improvement of existing facilities, including street surfacing and reconstruction, grade separation, street extensions, street lighting, and traffic islands and circles, etc.

5. Acts as member and secretary of the traffic commission and drafts recommendations for proposed traffic ordinances and regulations.

6. Coöperates with civic organizations and gives addresses for the purpose of public education in the objectives and methods of traffic engineering.

At the outset, the authorities recognize the fact that there is no one clear-cut answer to the problem. Local conditions, organization, and administrative personalities are extremely important. "After all, the main question is not one of administrative organization, but one of administrative spirit and will," says Miller McClintock. Of course, the importance of personalities and personal attitudes tends to recede when the problem is considered with reference to all cities and to the future as well as the immediate situation. Once an office is established, moreover, it may prove very hard to shift it elsewhere. We need to ask, will the tendency to success be greater in the long run if the office is located in one department or another?

#### TRAFFIC BUREAU IDEAL SETUP

There is some longing among au-

thorities for a separate traffic engineering department. "The ideal situation is one in which the traffic engineer is established in a separate bureau having equal ranking with the other city departments," declares D. Grant Mickle. In the main, however, the authorities appear to regard the separate traffic engineering department tenderly as a sort of traffic engineers' heaven and do not advance the notion very forcibly for the mundane world of municipal administration.

The really practical alternatives and the arena in which the fighting is usually done comprise the police department and the department of public works.

Significantly, none of the seven authorities favors the police department outright. True, Miller McClintock says: "In many instances, however, the police department is so completely the agent for traffic operations within the city that it would be very disadvantageous to have the traffic engineering division other than in the police departments."

The others all declare, in more or less outright fashion, in favor of public works, although mentioning a few instances in which location in the police department has worked fairly well. The advantages of placement in the police department are, first, ease of access to traffic accident reports, and, second, coördination with enforcement.

For the most part, however, the authorities feel that results have not been very satisfactory when the traffic engineer is put in the police department. The traffic engineer may

have managed to get along, but he usually has not been able to develop his office and perform the functions which are now recognized as good practice. The reasons for this appear to be as follows:

1. Police officials frequently do not appreciate the traffic engineer's work. They do not have a warm interest in the work and sympathy for and understanding of the engineer's objectives. They do not value the technical methods which he uses. They have been trained in and operate in what one might almost call a different world—the world of enforcement. They do not think the same way an engineer thinks or even speak his language.

2. Growing out of this basic lack of appreciation there is frequently found lack of support of the traffic engineer. This may take the form of insufficient appropriations or failure to provide help needed by the engineer for his studies and other duties.

3. Still another result of lack of appreciation is the burdening of the traffic engineer with minor and irrelevant duties which prevent him from attacking the larger problems. Sometimes complaints about enforcement of traffic regulations, which should have been answered by police officials, have been foisted upon him. In one instance he was even obliged to paint his own signs. In Evanston he wore a police badge and carried a gun.

4. Finally, there is likely to be lack of coördination between traffic engineering and street planning and construction, street repairs and routing of detours, street lighting, etc.

Here is what some of the authorities say:

"Traffic engineering, being fundamentally the application of engineer-

ing techniques to the traffic problem, is not within the scope of direct and active interest of most police chiefs." *Burton W. Marsh.*

"Possibly one of the largest disadvantages of having the traffic engineer serve in the police department is that of having a technical man working under a layman who may entirely ignore the technical approach and depend upon his own personal opinions." *Harold F. Hammond.*

"The engineer is placed under the direct control of men who are not engineers and do not understand engineering methods and, therefore, are apt to be somewhat unsympathetic toward engineering procedures. They are inclined to belittle the factual approach and occasionally expect tasks that require thoughtful analysis to be rushed through hurriedly, more or less on the basis of guesswork and opinion.

"The engineer connected with the police department is rather far removed from the engineering functions of the city that have to do with street and bridge design, reconstruction of roadways, maintenance of roadways, etc. Therefore, these municipal functions which should be carried on with the advice and help of the traffic engineer frequently are completed without even his knowledge." *George Barton.*

"Traffic engineering is much more outstanding in these cities [where the engineer is located in the department of public works or in the department of public safety] than in those in which it is subject to police influence and limitation." *Earl J. Reeder.*



There is some feeling that location of the traffic engineer in a department of public safety is not undesirable, provided the engineer is made directly answerable to the head of the department and is not subordinated to the chief of police.

#### WORKS DEPARTMENT FAVORED

Most advantages and fewest disadvantages appear to lie with the department of public works. Results have generally been better when traffic engineers have been placed here. The reasons are precisely the opposite of the four major disadvantages of police departments. To quote again:

"I believe that with all local conditions being equal, the most desirable location for the traffic engineer is in the public works department, if it is not possible to form an independent traffic commission or bureau.

"From a functional standpoint, the work conducted by the traffic engineer appears to be more closely related to engineering and construction work than to police and safety activities. This is emphasized by the relation of control to design and, likewise, by construction and maintenance work which must be conducted." *D. Grant Mickle.*

"When it is all said and done, I believe that the traffic engineer belongs in the engineering department [assuming that a separate department of traffic engineering cannot be established]. . . . This conclusion is based on the fact that a traffic engineer's job is primarily one of dealing with physical conditions in the city and will in most instances require direct coöperation with the street

department, lighting department, etc." *Harold F. Hammond.*

"Technically speaking, the traffic engineering activities of the city ought to be related and coördinated with those other engineering activities which are usually to be found in the department of public works." *Miller McClintock.*

"I also think that the public works attitude on city problems and viewpoints as to the needs of the future tend to lead them to reach beyond some of the very minor points. . . ." *Burton W. Marsh.*

"This arrangement [location in the department of public works] permits the traffic engineer to have a close relationship with sidewalk construction, safety island construction, street repairs, design of the street system, the design of individual traffic structures, the planning and location of street lighting, the installation and maintenance of electrical signs and signals, etc.

"Being a part of an engineering division, the traffic engineer is encouraged to employ the factual approach, I believe, to a greater extent than would be the case when the traffic engineer reports to a police official.

"For matters of mere office efficiency, particularly in smaller traffic engineering bureaus, there is an advantage to being associated with the department of public works. Drafting work can be obtained simply, field workers can serve both the public works and the traffic engineer's purpose. Simple engineering assistance may be had occasionally as needed." *George Barton.*

Thomas J. Seburn, city traffic engineer of Kansas City whose office is located in the Department of Public Works, states that this arrangement has worked very satisfactorily, that he has had full support, and that it has been easy to obtain drafting and other assistance and coöperation from other divisions of the department, since they are all members of the same department. He feels also that if the traffic engineer is located in the Department of Public Works, the public will be led to see that there is more to traffic safety than police enforcement alone and that this makes for a better understanding of the task.

#### NEED FOR ACCIDENT RECORDS

The authorities mention one possible disadvantage of location in the department of public works. This relates to the availability of traffic accident data. Thomas J. Seburn says that he has had no difficulty in obtaining accident data from the Police Department and that ordinarily all accident reports are received by him early on the morning of the following day. Other cities also have solved the problem.

Even from a theoretical point of view, the establishment of a separate traffic engineering department does not seem advisable. First, this arrangement violates the principle of the span of effective control, that is, the principle that only a few subordinates—some writers say not more than five or six—should report and be responsible to any one executive, for otherwise the executive will be so burdened that he will not have

time to do well his own job of planning and directing.<sup>1</sup> In the second place, the establishment of a separate traffic engineering department would make it necessary for the traffic engineer to secure coöperation and coördination from two outside departments instead of one.

All in all, the weight of advantage appears to lie quite heavily with the public works department. Here the traffic engineer seems certain of obtaining better support and more sympathetic understanding. The greater likelihood of adequate drafting and other assistance is of practical importance. As for coördination, it is needed both with police and with public works and engineering activities, but much more with public works than with police. It is only common sense to put the office in that department with which it will have the most contact. It should not be difficult to require that duplicate traffic officers' reports of accidents be sent to the traffic engineer daily. The police department may, of course, try to sabotage the work of the traffic engineer or discredit him. Jealousies may arise and may need to be ridden down by the chief executive. The creation of a traffic commission or at least of an interdepartmental committee which included representatives of both the police department and the department of public works might help. Personal contact does not always bring cordiality but it may help to gain at least working coöperation.

<sup>1</sup>See, for instance, *Papers on the Science of Administration*, edited by Luther Gulick and L. Urwick, pages 7, 52, 183.

# Colorado Civil Service Commissioners Impeached

*Republican-controlled House of Representatives institutes proceedings against Democratic Civil Service Commission; but Democratic Senate acquits fellow party members in partisan battle between the "ins" and the "outs."*

By JAMES DONALD McBRIDE

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NO GOVERNMENTAL device is more vital to a modern state than an adequate civil service based on merit. And no power is more important to a political party than patronage, the power to give jobs. The conflict between these two points of view is felt in most units of government, but seldom have political conditions been favorable to forcing the conflict into the revealing state of impeachment. Perhaps this occurred in Colorado because the impeachment was not motivated by "reformers" but was the attack of the party which was "out." The whole affair was a first-class lesson in party politics and one might suspect that the conditions which were revealed and written into the official records of the Assembly are not too unlike those in some other states. In the account which follows an attempt has been made to sketch the structure of the proceedings and to give glimpses of typical conditions uncovered.

On March 23, 1939, a bill was introduced into the Republican-controlled House of Representatives of the Colorado General Assembly which called for an investigation of the Civil Service Commission, the members of which are all Democrats.

The bill was not an administration measure and little attention was paid to it. It finally passed, however, with many more Democrats voting for the investigation than voting against it. Subsequently, a five-man investigating committee with a Republican majority was appointed, given five hundred dollars, and sent on its way.

When the committee began its investigation, it subpoenaed the records of a grand jury which had met in August of 1937, almost two years before. This grand jury in its investigation of things political in the state capitol had called the Civil Service Commission before it upon three different occasions. As a result a former Republican member of the commission was allowed to resign because of perjuring himself before the grand jury when questioned about a certain misdeed committed by him as commissioner. He is now employed by the State Highway Department. It was suggested that the other two members of the commission (who were later impeached) would also do well to resign. However, they did not choose to do so.

After the House investigating committee obtained the records of the grand jury, they proceeded to



use the testimony which the civil service commissioners themselves gave before it as the basis of their investigation and later as the basis of their charges against these same commissioners.

The House committee engaged a certified public accountant and an attorney and began to verify and amplify the commissioners' own incriminating testimony by digging into the records kept by the commission. They found some amazing things; for example, in an examination for a position in the sales tax division twenty-four out of seventy-five grades were changed after the official results had been published. In another case the commission, upon the request of the attorney-general, had refrained from enforcing the commission's decision to remove an important state employee and had permitted him to resign—after a month's vacation with pay.

Almost exactly one month after the investigating committee had been appointed, it reported back to the House recommending that Civil Service Commissioner Herman C. Getty be impeached on six different counts of malfeasance and that Civil Service Commissioner Mrs. Clara Wilkins be asked to resign because of several instances of nonfeasance or misfeasance. The House voted unanimously to accept the committee's report. The third member of the commission who had served only three months was given a clean bill of health.

As the regular session of the legislature was drawing to a close, it was decided that it would be better to conduct the impeachment proceed-

ings in a special session. Governor Ralph Carr issued a call for a special session to meet April 28, 1939.

#### THE IMPEACHMENT

Upon meeting in special session, the House appointed a Board of Managers to conduct the proceedings before it. Later this same Board of Managers drew up the official articles of impeachment and then served as the prosecuting body in the trial before the Senate. The Board of Managers consisted of three Republican and two Democratic members of the House of Representatives. The chairman of the board was the representative who had introduced the original bill calling for the investigation and who had been chairman of the investigating committee. None of the other members had previously been connected with the investigation.

Under the guidance of the board and the attorney-general the House spent five days in going over the evidence submitted by the investigating committee and in rehearing many of the witnesses who had appeared before that committee. As the House was sitting as a body of indictment, it was not interested in hearing defenses to the charges for that would have made the proceedings a trial and so the persons under investigation were not heard at the time.

The House investigating committee charged Commissioner Herman Getty with five specific instances of malfeasance and submitted a wealth of evidence to substantiate its charges, including the commissioner's own testimony, given before the

grand jury, in which he admitted several of the irregularities with which he was charged. A sixth charge was made listing five different practices of the commission in which both Commissioners Getty and Wilkins had concurred and which showed either a complete lack of ability or absolute violation of "merit" principles. Commissioner Clara Wilkins was charged with having knowledge of two specific instances of irregularities and in concurring in the general derogatory practices of the commission.

A summary of the six charges against Commissioner Getty is given below. The three charges against Commissioner Wilkins are the same as charges 1, 2, and 6.

1. With full knowledge of gross irregularities and fraud in the examination submitted by I. R. Taylor, Commissioners Getty and Wilkins concurred in the action of the commission giving Mr. Taylor the highest rating and thus causing him to be appointed superintendent of the Colorado Industrial School for Boys.

2. With full knowledge of gross irregularities in the examination submitted by Fred T. Howard, Commissioners Getty and Wilkins permitted Mr. Howard to continue as a state employee with full civil service rating from August 1937 to January 1939, a period of a year and four months.

3. With full knowledge of gross irregularities and fraud in the examination submitted by Dan C. McNaughton, Commissioner Getty concurred in giving Mr. McNaughton a civil service rating which caused him to be appointed to the position of coal mine inspector, a position which he still holds.

4. In violation of the statutes of Colorado, Commissioner Getty continued the civil service rating and employment of one Ester Landy, stenographer, knowing that she was not eligible to hold the position because of lack of age.

5. In violation of the statutes of Colorado and the regulations of the Civil Service Commission, Commissioner Getty permitted his son, Keith Getty, to submit an examination and be qualified for the position of state highway patrolman knowing that his son was beyond the age limit prescribed by law.

6. Commissioners Getty and Wilkins have not made appointments in the classified service as required by the constitution and the statutes of Colorado in the following respects:

a. They have concurred in the policy of grading all applicants the same for education and training.

b. They have concurred in the policy of grading all applicants the same for personal qualifications.

c. They have disregarded the experience of history of applicants and have arbitrarily assigned a grade for experience.

d. They have permitted promotions and transfers without competitive examination.

e. They have preferred provisional appointees over non-provisional appointees.

#### THE CASE OF MR. TAYLOR

The circumstances upon which the first charge is based is interesting both as a specific example and as an illustration of how the commission worked. The charge was that both Commissioners Getty and Wilkins concurred in giving Mr. I. R. Taylor a civil service rating which caused him to be appointed as the head of the Industrial School for Boys al-

though they knew that it was only through fraud and gross irregularities that he was able to obtain the highest grade upon his competitive test. A certain Mr. Coombs, who seems to have been particularly well qualified for the position, was given second highest ranking.

It seems that Mr. Taylor's answers were so letter perfect when compared to the officially correct answers that it was obvious he must have obtained and memorized them. Mr. Coombs wrote a good examination. Both men were given exactly the same grade upon this written section of the examination. It was the so-called oral section which was the determining factor. This crucial section was given by the commission and consisted mostly in determining the candidates' fitness and experience. Upon this part of the test Mr. Taylor was given twenty-five points, and Mr. Coombs, twenty-two. Thus Mr. Taylor received the highest final grade by three points. The data upon which the commission assigned these grades is outlined below.

Mr. Taylor—25 points:

- Four years of high school
- Insurance salesman
- State purchasing agent

Mr. Coombs—22 points:

- Four years of high school
- Four years of college
- Two years of post-graduate study
- Professor of military science
- Chief technician, State Highway Patrol
- Camp director
- Athletic director of the Highlander Boys

The grand jury in 1937 suggested that Mrs. Wilkins was appointed to the commission because she agreed to secure Mr. Taylor's appointment to the Industrial School. Mrs. Wilkins insisted, however, that this was not so, but that she had been appointed to obtain the political support of her patron ex-Governor William Adams in the campaign of Governor Edwin Johnson for United States senator.

The tragedy of Mr. Taylor's appointment is forceably brought home by conditions in the Industrial School for Boys, which were so bad as to cause an independent investigation long before the present civil service investigation. This disclosed that disciplinary conditions and living conditions among the boy prisoners were deplorable, that the number of escapes from the institution was high, that the school had purchased such things as ladies' underclothes for delivery to the warden's wife, and that the warden had access to a secret bank account which was replenished, at least in part, by requisitioning materials from the state and then selling them for cash. As a result of this investigation, Mr. Taylor was allowed to resign.

THE CASE OF MR. HOWARD

Perhaps the most significant case of all is the one which has evolved around Mr. Howard. It was this case which caused former Commissioner Alexander, a Republican, to resign after the grand jury investigation in 1937.

Mr. Howard took a competitive test for work in the sales tax divi-



sion. Certain circumstances such as his limited ability and his nervous condition caused by the illness of his wife are said to have made him do poorly. After the examination was over Mr. Howard went to his friend Commissioner Alexander and asked if he couldn't recopy his test that night. The commissioner obligingly took the test out and gave it to him. Mr. Howard "recopied" it that night and the next day Commissioner Alexander put it back in the files. Mr. Howard passed the test and was given a civil service appointment.

When asked by the grand jury about the truth of these circumstances, Commissioner Alexander at first denied them. Later he resigned because of this perjury. But Mr. Howard kept his position.

The present commissioners, Mr. Getty and Mrs. Wilkins, are charged with doing nothing and allowing Mr. Howard to remain on the payroll for one year and four months after the facts in the case had become a matter of public record. When the commissioners did act it seemed to be not because of the merit principles involved but because of political pressure. The newly elected state treasurer, a Republican, had had several points of difference with the commission and he seized upon the case of Mr. Howard as a point of attack. When this pressure became uncomfortable, Commissioner Getty called Mr. Howard into the commission's office and explained to him that the new state treasurer was going to "make a stink" over him (Mr. Howard) and it would prob-

ably be better if he would resign. Mr. Howard finally resigned.

#### PROVISIONAL APPOINTEE TRICK

The friction between the new Republican state treasurer and the Democratic Civil Service Commission throws some interesting side-lights on the operation of the civil service. One instance which stands out is the struggle over the attempt to use the old special title and provisional appointee trick.

When the new treasurer took over the Treasury Department from his Democratic predecessor, he notified the Civil Service Commission that he was going to reorganize the department and so he discharged about fifty employees. After "reorganizing" he notified the commission of the titles of the new employees needed and presented a list of his provisional appointees for the commission to certify and place on the payroll. This the commission refused to do. The commission had never given any tests for employees under the new titles, however, and did not have a list of eligible workers to certify to the positions. Under such circumstances it is customary to certify the provisional appointees of the department head. This time, however, since the work of the new "adjuster" seemed similar to that of the old "revenue collector," the commission sent back the names of the men the treasurer had just discharged. The treasurer rejected these men and sent a note to the commission in which he said, "I deny the right of the Civil Service Commission to fill any of the positions involved from any list in view of the action taken by

your commission upon the creation of these positions by my predecessor." It seems that the law gives the head of a department the right to organize his department and the previous Democratic treasurer had done so. The new Republican treasurer, however, was not given the same privilege. When the situation reached an impasse and the Civil Service Commission threatened to give tests under the new titles, the state treasurer brought suit in court to enjoin the commission from giving tests to fill the new positions.

Some people wonder if the immediate political cause bringing about the investigation and impeachment is not to be found in this feud between the treasurer and the commission.

#### OTHER CASES

In the case of Mr. Dan McNaughton, coal mine inspector, Commissioner Getty testified before the former grand jury that immediately after giving the test to Mr. McNaughton he looked over the latter's paper and noticed that only about one-half of the questions had been answered. Later he discovered that Mr. McNaughton's paper had become almost perfect. In spite of his knowledge of this unusual occurrence, Commissioner Getty concurred in giving Mr. McNaughton the civil service rating which caused him to be appointed to the position which he still holds.

Charge number four concerned one Ester Landy, stenographer, who falsified her age in order to come up to the required twenty-one years. When another stenographer who was

unemployed informed Commissioner Getty of Miss Landy's true age at the time she took her examination, the informant was told to forget it and he (Mr. Getty) would see what he could do for her. She was given a job.

In reply to charge five, Commissioner Getty said that he was out of town when his son, who was over the age limit prescribed by law, took the test for highway patrolman.

In connection with the charge that the commissioners preferred provisional appointees over non-provisional appointees, it is interesting to note a statement in defense of the practice made by ex-Governor, now United States Senator, Johnson. He said, "It has been an unwritten law since the inception of the civil service in Colorado to make the provisional appointees of the governor and other heads of departments permanent."

#### COMMISSIONERS IMPEACHED

The House spent five days in going over the mass of evidence to support the charges of malfeasance, then voted upon the question of impeachment. Commissioner Getty was impeached by a vote of fifty to nine; Commissioner Mrs. Wilkins by a vote of forty-two to seven.

On May 9, 1939, Mr. Getty and Mrs. Wilkins were arraigned before the Senate of Colorado and impeached upon charges of malfeasance. Both defendants entered pleas of not guilty.

In drawing up rules of procedure, the Judiciary Committee of the Democratic-controlled Senate adopted the so-called gag rule; that is,

all Senators and the prosecuting Board of Managers of the House were forbidden to ask questions or to submit questions in writing. They must remain passive and hear only what the attorneys for the prosecution or defense choose to bring out.

The attorney for the Board of Managers began the trial of Commissioner Getty by presenting the evidence upon which the House had based its impeachment. The witnesses which had already appeared before the investigating committee and the House were re-heard before the Senate. The prosecution took almost three days to present its evidence.

On the afternoon of the third day the defense took over and placed Commissioner Getty upon the stand. Mr. Getty was under the handicap of having admitted before a grand jury that he knew of several of the irregularities charged in the articles of impeachment. Commissioner Getty's defense was that he had orally protested to the other commissioners against the way in which the cases were handled. The only witnesses called by Commissioner Getty were two "character" witnesses. Then, after having had the floor for only a few hours, the defense rested its case.

#### COMMISSIONERS ACQUITTED

A vote of guilty or not guilty was taken upon each of the articles of impeachment. The state constitution requires a vote of two-thirds of all the senators elected or twenty-four votes to convict a person on impeachment charges.

When the vote was taken upon the guilt of Commissioner Getty, it

was found to stand, guilty eleven, not guilty twenty-one. Eleven Republicans had voted guilty and twenty-one Democrats had voted not guilty on articles 1, 2, 3 and 6. On article four the vote was twelve to twenty, and on article five it was four to twenty-eight. The Senate had formally acquitted Civil Service Commissioner Getty.

As soon as Commissioner Getty was acquitted, Commissioner Mrs. Wilkins was placed on trial. As the charges against her were the same as the three charges against Mr. Getty and since they rested upon much the same evidence, all prosecution and defense were dispensed with and a vote was called immediately. The result was a vote for her acquittal, the same party lines holding as in the vote upon Mr. Getty.

After having heard plentiful and unquestioned evidence substantiating five specific charges of malfeasance in office, and after having heard testimony given before a former grand jury in which the commissioners themselves admitted the truth of several of the irregularities with which they were charged, and after an amazingly short defense which did not attempt to seriously meet the charges, the Democratic-controlled Senate decided that the commissioners were not guilty of the charged malfeasance in office.

The declared feeling of the majority of the Democratic senators was that the evidence presented was not of a kind that warranted the severe punishment of impeachment. (Officers convicted on impeachment are removed from office and are forever barred from holding an office of



trust, honor, or profit under the state.) They pointed out that no evidence had been submitted seeking to show that the commissioners had committed crimes such as accepting bribes, but that the only charges against them were those of violating laws of procedure.

It is interesting to note that had the Democratic party allowed the two commissioners to be impeached, it would probably have lost its majority upon the Civil Service Commission, for the two new commissioners would have been appointed by a Republican governor.

#### COMMISSIONERS STILL LIABLE

The prosecution of the two commissioners does not need to stop with their acquittal. The constitution of the state specifically says, "The party [impeached], whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial judgment, and punishment according to law" (art. 13, sec. 2). Therefore, the charges brought before the Senate could still be brought before a court of law. There has been no attempt to do so, however. The official attitude, as expressed by the Governor, is that now that conditions in the civil service have been aired before the public, it is up to the commission to bring about their correction.

The present situation in Colorado brings home the fact that to secure good government one cannot rest content with form or law. Legally, Colorado has had a merit system

for thirty-two years. When the first law was jockeyed through the legislature in 1907, only two other states had merit system laws. The merit system was never accepted, however, and the spirit of the statute was continually violated. After the reformers became disappointed with the way in which the statute was abused, they made use of the initiative to propose a merit system amendment which was voted into the state constitution. Men of selfish purpose, however, soon learned to live within the new framework imposed upon them. They even became desirous of the three new jobs of commissioner at three thousand dollars a year. They also discovered that the civil service could be used as effectively to further political ends as to promote efficiency.

Impeachments, because of their rarity and the prominence of their actors, have definite interest-commanding qualities. Through the recent impeachment the people of Colorado have been made aware of the conditions in the civil service of the state, and they seem genuinely shocked. The lengthy daily accounts in the press have developed considerable public opinion against the present manner of administering the service. The final result of the impeachment, instead of being a shift in the political membership of the commission, may be a demand from the people for fundamental change in the administration of the civil service.

## Contributors in Review

**M**ARITAL collaboration and an interest in civic movements and political science respectively produced **Priscilla C. and Howard M. Kline's** *Saginaw: A Lesson in Coöperation*. Other concomitants to their study of Saginaw were the urging of the Committee on Public Administration of the Social Science Research Council, who wished to use the work as a collaborative field effort in their collection of studies on the manager plan, and the help of George C. S. Benson, of the University of Michigan, who contributed to the original draft. Both Dr. and Mrs. Kline studied at Syracuse University, he in the School of Citizenship and Public Affairs, she in the graduate school. He has taught in a number of universities, including his present connection at the University of Maryland; she has taught in the public schools of several states, including, at the moment, the District of Columbia.

**B**Y WAY of background for his studies in local government as an Alfred P. Sloan fellow at the University of Denver, **James Donald McBride** (*Colorado Civil Service Commissioners Impeached*) has had almost the whole world. He traveled to Europe during his undergraduate years and to Asia as a graduate where he "spent some time observing and avoiding the militaristic government of Japan and its new empire in the east. These experiences have convinced me that the preservation of those American values we call democracy begins at home, in our state and local governments as well as in our national government."

**R**ANKED in 1936 the seventh best tennis player in the nation by the United States Lawn Tennis Association, **John McDiarmid** (*Streamlined County Government—Los Angeles Style*) nevertheless found time to be awarded the Ph.D. by the University of Chicago in the same year. He became, at the same time, instructor in politics at Princeton University, published a book on *Government Corporations and Federal Funds* (1938), and wrote for such scholarly journals as the *American Political Science Review*, *Public Opinion Quarterly*, *Texas Law Review*, *Library Quarterly*, *Annals of the American Academy*—and *American Lawn Tennis*. Since 1938 Mr. McDiarmid has been assistant professor of public administration at the University of Southern California.

**A**LTHOUGH now engaged in preparing an administrative manual for the Immigration and Naturalization Service of the federal Department of Labor, **C. Herman Pritchett** (*English Local Government Faces War*) comes by his knowledge of English local government from first hand observation. He held a post-doctoral fellowship from the Social Science Research Council last year which took him to England for research materials. Dr. Pritchett is an ex-employee of the Tennessee Valley Authority as well.

**A**DDED together, the respective experiences of **John Thurston** and **John Ackermann** (*Where to Put the Traffic Engineer*) would make a complete tour of the governmental scene—city, county, state, national, official, research, and professorial. Mr. Thurston is now teaching political science at Northwestern University. He was formerly a staff assistant with the League of Minnesota Municipalities, a fellow at Brookings Institution, a personnel investigator in the Personnel Office of the federal Farm Credit Admin-

(Continued on Page 816)

# Our Invisible Government

*The committee system in our legislative bodies and how it works.*

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By CHRISTOPHER M. GALLUP, *North Stonington, Connecticut*

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IF voters interested in good government had utilized "invisible government," so-called, to secure a council-manager charter, the unit system of realty appraisal, proportional representation, or a much needed trunk line highway, as well as to defeat reactionary legislation, they would be likely to regard it as a pretty good thing. Per contra, if they had encountered it only as an insurmountable obstacle in the path of some cherished brain child, they would undoubtedly regard it as a bad thing. But good or bad, the fact that "invisible government" comes down to us through centuries of parliamentary experience, is a pretty clear indication that we shall have to live with it for some time to come. So one might as well learn how it works, and then make the best possible use of it. Perhaps our Connecticut picture will help.

## THE COMMITTEE SYSTEM

"Invisible government" is rooted in the well known inability of legislative bodies to function except via the committee system. If anyone has ever suggested a practical alternative to the committee system, more than half a century of journalistic and political experience has failed to bring it to my attention. So we just have to have legislative committees, and somebody has to determine their membership. That somebody has been (at least nominally) the Speaker of the House of Representatives and the President Pro Tempore of the Senate, and "for a time whereof the memory of man runneth not to the contrary."

In theory at least, the Speaker is elected by the House of Representatives, and the President Pro Tempore by the Senate, but in practice their names are pretty well "understood" some weeks before their

formal election. Friends of the candidates for these important positions make their recommendations to the chairman of the State Central Committee for the party winning the election, and from such recommendations the chairman makes his choice. By the time the legislators meet in party caucus the night before the General Assembly convenes, the state chairman's choices are so well known that it is most unusual for a senator or representative to "stick his neck out" by appearing in opposition.

## COMMITTEE ASSIGNMENTS

Formal election of the legislative caucus nominees comes with the first Wednesday in January of the odd-numbered years, and then the rules of the preceding General Assembly are adopted, usually without amendment. These rules put upon the Speaker the all but impossible task of announcing his committee assignments on the following Tuesday. Of course the Speaker has to have help, and the members of his State Central Committee are naturally the ones to help him. They do this by canvassing the elected legislators as early as may be practicable, and reporting their individual preferences to party headquarters, along with their own recommendations. Out of 267 members in the present House, 109 requested assignment to the committee on appropriations, and 75 to the committee on roads, rivers and bridges.

Now a good legislative committee assignment is a fairly dependable rung in the ladder of political promotion. It gives the capable representative an opportunity to demonstrate his abilities before a goodly number of his party associates, many of whom are destined to be delegates to subsequent nominating conventions. Conse-



quently every ambitious and well informed legislator is anxious to keep in the good graces of the State Central Committee member for his particular constituency.

Back in the pre-grand jury days, when the "old guard" was firmly in the saddle, a newly elected speaker might have suggested changes in the typewritten list of committee assignments prepared for him at his party headquarters some time before his election. We just don't know. But the grand juries did bring out how former members of the State Central Committee had capitalized the hopes and loyalties of legislators indebted to them for their committee assignments, and collected huge sums for getting certain bills passed and others defeated.

It is sometimes possible to get results from invisible government without such improper means. If you wait until after the election to interest a representative in what you regard as desirable legislation, you may expect it to receive careful consideration. But if you take time by the forelock, crystallize your own ideas, get the right administrator of a state department to give you the benefit of his experience and judgment, organize a group to "make a noise like a voter," and then negotiate with your district member of the State Central Committee well in advance of the election, you may be surprised to see how easily your altruistic dreams can come true.

Of course, the seeker after special privilege knows how the foregoing system works, and probably a lot more besides. It would make a rather discouraging picture except for the fact that invisible government is kept from getting out of bounds by rotation in office. Any member of a State Central Committee is likely

to do pretty well by his constituents for one or two terms. But if he stays in office term after term, such probability decreases with every re-election.

## COUNTY DISORGANIZATION

(Continued from Page 772)

consent to consolidation because of the secondary liability for the debts of Billings County.

These and other practical and psychological reasons for failure to carry out county consolidations will no doubt persist. Nor is it at all certain that the new technique of disorganization and attachment to organized counties will overcome all of these problems. In fact there is grave doubt that such a plan can prove to be more than a temporary expedient because it has the great disadvantage of leaving the citizens of the county without a voice in their local government.

In the final analysis, however, it is an intelligent public opinion which serves as the best weapon against continuation of outmoded forms of government in a democracy. Whatever else this law may accomplish, it has already given impetus to further study of county problems by members of the legislature and if some action is started, whether brought to satisfactory conclusion or not, the basic questions involved will be placed squarely before the voters in some one or more financially troubled political subdivisions.

# The Researcher's Digest: November

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*Newark Research Bureau discovers a paradox in cash basis law and a method of curing it.*

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**A**MONG the various kinds of attempts to rescue municipalities from their depression difficulties and to prevent the recurrence of such difficulties, New Jersey's pioneering efforts with mandatory cash basis have attracted a great deal of attention. The question is not only whether cash basis is a useful principle, but also whether the New Jersey law may be taken as a model to guide other states and localities.

A new pamphlet of the **Newark Bureau of Municipal Research**, called *A New Measure of Cash Basis*, therefore takes on greater importance than might ordinarily be given to a study of local application. The bureau has studied the "operating cost" of cash basis in Newark during the past five years, in the light of the experience with tax delinquency and the budget reserve established to offset such delinquency. Under the cash basis system, it will be remembered, the municipality is required to add a "reserve" to the current tax levy so that collections in cash will equal the amount needed, thus avoiding any need for borrowing against uncollected taxes. On the other hand, delinquent tax collections are permitted to be included as a receipt in the budget, as an offset to the aforementioned reserve, because no commitments or loans are outstanding against such taxes. The bureau points out that the "net cost" to cash basis is zero if delinquent tax collections equal delinquency on the current levy—in which case the amount of delinquent taxes outstanding must remain unchanged; that there is a "net credit" from cash basis if delinquent tax collections exceed delinquency on the current levy—in which case the amount of delinquent taxes outstanding must decrease; and that there is a "net cost" to cash basis if delinquent tax collections are less than delinquency on the current levy—in which case the amount of delinquent taxes outstanding must increase.

But these "cash basis rules" did not seem to apply to Newark, the bureau found. For although the delinquent tax collections were less than delinquency on the current levy, delinquent taxes outstanding had decreased, *not* increased!

Seeking the reason for the apparent paradox, the Newark bureau discovered that "the operation of cash basis under present statutory requirements provides a reserve not only for uncollected taxes but also, automatically, for assessment abatements. If taxes are levied in one year on values which prove to be false—through assessment reductions and remission of taxes—this experience is automatically reflected in the reserve requirement for the following year. Assessment abatements, after the levy has been fixed, reduce the amount of the levy actually collectible, and also reduce the ratio of collections when related to the full levy. As a result, tax collection estimates in cash basis budgets automatically provide not only for anticipated uncollected taxes, but anticipated assessment abatements as well."

The remedy? "If a change were made providing that the city should include an appropriation for abated taxes, as was done formerly, then the city should be permitted to estimate current tax collections on the basis of actual experience in relation to the amount collectible. With abatements provided for, there would be no reason to require the city to estimate only on the basis of collections from the total levy. Unless this is done, and with a fluctuating amount of assessment abatements, erratic trends in tax collection experience, and in the amount of reserve required, will continue."

Calling the present method "definitely misleading, and unfair to the principle of cash basis operation," the bureau says that it is prepared to draft legislation to give its suggestions effect.

### **War and Research**

An ominous reminder of the effects of war on this continent is contained in the September 20th *White Paper* of the **Toronto Bureau of Municipal Research**. A note on the first page of the article, devoted to "The Trend of Development in Police Administration," says: "This *White Paper* was drafted before the outbreak of war. It is evident that the pressure of work on the force in discharging its duty of protecting the lives and property of citizens will be greatly increased."

### **Government Workers in Kansas City**

The **Kansas City Civic Research Institute** issued two bulletins on September 21st and 28th dealing with "City Employees—1928, '38, '39," and "County Employees—1928, '39." Four out of nine city departments had less employees in July 1939 than in December 1938, and the grand total for July 1939 was almost a thousand less than in 1938. A similar decline in number of employees has occurred in the county government.

### **"Dollars and Sense"**

The **Governmental Research Institute of St. Louis** inaugurated a new series of one-page releases on October 5th, to be called "Dollars and Sense in Government." To supplement the institute's periodical, *Mind Your Business*, the new bulletins will constitute a capsule of facts of local interest for local citizens, and will appear as often as material warrants. The second issue of the new series also appeared on October 5th, comparing the bonded debt of St. Louis with that of twelve other American cities.

## **Research Bureau Reports Received**

### **Finance**

A New Measure of Cash Basis. Bureau

of Municipal Research, Newark, N. J. October 1939. 14 pp.

Public Revenue, Expenditures and Debt. Citizens' Research Institute of Canada. *Canadian Taxation*, September 30, 1939. 3 pp.

Trend of Local Costs in N. Y. State. New York State Bureau of Governmental Research. *Bulletin*, October 2, 1939. 2 pp.

### **Parking Meters**

Parking Meters. Buffalo Municipal Research Bureau, Inc. *Just a Moment*, October 19, 1939. 3 pp.

### **Personnel**

"City Employees—1928, '38, '39." Civic Research Institute. *Kansas City Public Affairs*, September 21, 1939. 5 pp.

"County Employees—1928, '39," Civic Research Institute. *Kansas City Public Affairs*, September 28, 1939. 4 pp.

Local Government Employees Per 1,000 Population. New York State Bureau of Governmental Research. *Bulletin*, September 25, 1939. 4 pp.

School Enrollment and Personnel. Civic Research Institute. *Kansas City Public Affairs*, October 5, 1939. 5 pp.

### **Public Safety**

The Trend of Development in Police Administration. Bureau of Municipal Research, Toronto, Canada. *White Paper No. 242*, September 20, 1939. 4 pp.

### **War**

How to Keep Out of War. The Dayton Research Association. *Facts*, Bulletin No. 66. September 25, 1939. 1 p.

### **Water and Sanitation**

Water and Sewage—A Community Problem. The Citizens League of Cleveland. *Greater Cleveland*. September 21, 1939. 4 pp.



# News in Review

## City, County, State Progress in Brief

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### Two Cities Seek to Abandon Bicameral Councils

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*Norris, Tennessee, may incorporate as town; states cooperate on relief and boundaries.*

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By H. M. OLMSTED

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Two large cities, of the few which still retain two-house legislative bodies, are making an attempt to secure single-chamber councils.

Providence, Rhode Island, is to vote November 7th on a new city charter which will provide a strong-mayor type of government. A single-chamber council of twenty-six members, two to be elected from each of the city's thirteen wards, would replace the present bicameral legislative body. It is also provided that a civil service system similar to that of the state is to be established in 1941. Little interest among the electorate is evident and no special effort in the form of a campaign has been in progress, according to recent reports. The Providence Charter League and the *Providence Journal* and *Evening Bulletin*, the city's only newspapers, have criticized portions of the proposed charter but are supporting it as an improvement over the present charter.

The charter change committee of the Richmond, Virginia, Board of Aldermen has approved a proposed ordinance calling for a special election on the question of a one-chamber city council instead of the present two-chamber body, and has referred it to the board as a whole. The Common Council pigeonholed a similar ordinance although recommended by its committee on charter changes.

### *Government of Norris, Tennessee, Studied*

Norris, Tennessee, an unincorporated town of approximately 1,100 inhabitants, came into existence as a result of the construction of Norris Dam by the Tennessee Valley Authority. Instead of providing a temporary construction camp that would be scrapped upon the completion of the dam, Norris was planned as a permanent community with the intention that it eventually would become a normal town operating under the laws of Tennessee.<sup>1</sup> As families of persons employed in the construction of Norris Dam left for other employment, new families took up residence in the town. At present the inhabitants include a substantial proportion of families whose employment is in Knoxville or in other near-by towns.

Since the beginning the town of Norris has been owned and managed by the Tennessee Valley Authority. Nevertheless, a limited amount of citizen participation in the town's affairs has been provided. Early in 1936, at the suggestion of the town manager, a Norris Town Advisory Council was established to aid the manager in formulating policies. It was composed of eight representatives, one member being chosen by each of the eight organizations then in existence in the town. After a referendum vote of the citizens in December, 1936, this body was superseded by the present Norris Town Council, consisting of nine members elected for a term of one year by the system of proportional representation.<sup>2</sup>

The present council has no actual pow-

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<sup>1</sup>See Tracy B. Augur, "The Planning of the Town of Norris," *American Architect*, April 1936, pp. 19-26.

<sup>2</sup>For a description of the operation of P.R. in Norris, see NATIONAL MUNICIPAL REVIEW, March 1938 and March 1939.

ers but acts only in an advisory capacity to the town manager. For example, it advises with the town manager on the preparation and adoption of regulations governing matters of community interest and on the nature and quality of the municipal services offered; and works with him in the preparation of the operating budget for these services. It also advises as to rates charged for and services provided by the water and electric distribution systems, and as to rental policies and procedures and the quality of upkeep and management of residential properties.

While the citizens of Norris, through their elected town council, participate to some extent in the management of the town, it is felt that the time has arrived for working out a permanent arrangement whereby powers of local self-government can be vested in the citizens. Consequently there has been established a joint committee, on which both the TVA and the citizens of Norris are represented, "to study and report upon a practicable and satisfactory form of permanent self-government for the town of Norris, to be achieved by incorporation of the town as a Tennessee municipality, or by other appropriate measures legally vesting powers of local self-government in the citizens of the community through their elected representatives."

Dr. Charles M. Kneier, professor of government at the University of Illinois, has been designated as part-time consultant to work with and to advise the joint committee in its studies.

M. H. SATTERFIELD

Tennessee Valley Authority

### ***Interstate Cooperation on Relief Problems and Boundary Disputes***

State welfare officials are looking to interstate agreements as a possible solution to the problem of administering social security and general relief benefits for non-residents under the present wide variations in residence requirements, according

to the American Public Welfare Association. The association has been holding regional conferences in New England, the eastern states, and the central states; conferences will be held in other regions within the next few months. At least a dozen states have taken the first step by adopting working agreements to facilitate the interstate transfer of one or another class of dependents.

Residence requirements or "settlement laws" were adopted by the states many years ago to make it difficult for tramps or paupers from one locality to move to another and "go on the town." With the advent of the social security program, many states which required lengthy residence—up to ten years—reduced the time to five years, the maximum set by the federal act, while certain others with lower limits raised them. Nevertheless, the wide variation in residence laws, the conferring states reported, "works a definite hardship on individuals who as a part of our industrial and agricultural economy are required to move from one state to another."

Until the settlement laws are standardized or repealed, the states can form reciprocal agreements to provide for interstate services in such programs as old-age assistance, child welfare, and general relief, the association said. The ultimate purposes of such agreements are: to permit interstate visiting of recipients of public assistance, to allow interstate transfer of dependent persons, and to arrange for continued care and social study by one state of recipients moved to other states. Most of the states have the necessary authority to enter formal interstate agreements, and where it is lacking informal arrangements can usually be made.

### ***Alabama Ninth State with Public Safety Department***

Following an increasing trend among the states, Alabama is remodeling its state highway patrol into a department of pub-

lic safety under a 1939 legislative provision, the International Association of Chiefs of Police reports. Alabama is the ninth state to establish a state police agency with more than highway patrolling powers. The new department, set up October 1st, will consist of a highway patrol, with powers of peace officers as authorized by the governor, and a drivers' license division. Fees for the licenses, which will be issued immediately for a two-year period, will pay for salaries and equipment of the patrol force.

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### ***Legislatures Busy in 1939***

The forty-four state legislatures that met in regular session in 1939 sat for an average of 111 calendar days, a survey by the Council of State Governments shows. This was approximately ten days longer than the average sessions of either 1937 or 1935. An average of 402 new statutes was enacted (based on forty-two of the forty-four), California heading the list with 1,124.

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### ***Legislative Program Adopted at Kentucky League Convention***

The Kentucky Municipal League held its tenth annual convention in Danville September 19, 20, and 21. The league adopted a legislative program, to be submitted to the 1940 session of the General Assembly, which embodies the desire of the city officials that the state extend local autonomy in certain purely local governmental matters and in certain other technical functions now state-performed, and that cities be granted participation in state revenues, notably the state gasoline and automobile registration tax. (The cities have municipal motor registration taxes.) The program also includes legislation enabling cities to finance the construction of municipal gas plants through the sale of revenue bonds.

The problem of municipal home rule, the future of the TVA in relation to the cities in its territory, city planning, the

benefits of municipal coöperation, and the immediate program of the U. S. Housing Authority, were presented by prominent speakers.

One of the sessions was given over to a discussion, by Commissioner of Revenue H. Clyde Reeves, of the purposes and objectives of the Department of Revenue of Kentucky in its recently adopted policy of requiring annual financial reports from all cities. This action was taken pursuant to authority granted to the department by the 1938 legislature, and the form of statement adopted was drafted with the coöperation of the league. Mr. Reeves stressed particularly uniformity of procedure and terminology, and pointed out the benefits to be derived locally from good reporting.

At other sessions R. K. Cullen, of the Kentucky Statute Revision Commission, discussed the objectives of the commission with respect to the statutes governing municipalities, and Captain V. A. Beam, director of state firemen's training, explained the operation of this recently inaugurated undertaking of the Division of Fire Prevention and Rates of the State Insurance Department.

The league's financial position was materially strengthened by the unanimous vote of the convention to increase the dues schedule. Mayor Joseph D. Sholtz of Louisville was elected president for the ensuing league year.

JAMES W. MARTIN  
University of Kentucky

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### ***Oregon's Governor Names Pension Study Committee***

Governor Charles A. Sprague of Oregon has appointed a committee of 22 members to study and develop plans for an annuity retirement system for state and local employees in Oregon. At recent sessions of the legislature proposals have been advanced for the establishment or financing of pension systems for various special groups including firemen, police-



men, Multnomah County employees, state employees, school teachers, and employees of higher education, but there has been no general program advanced for all groups. To meet this situation Governor Sprague has appointed to the committee representatives of all of the special groups of public employees that have been seeking pension legislation and has charged them with the task of working out a plan for all public employees.

In instructing the committee at its first meeting Governor Sprague said:

In proposing retirement systems for public employees I am merely proposing that government keep pace with enlightened business corporations and that it do itself what it now requires of employers and employees in industry. The reasons are not merely humanitarian, but practical, because there is a tendency to retain superannuated employees to the detriment of the public service where no retirement system is provided. . . . It should be understood that what I have in mind is not a pension system whose full cost is borne by the units of government which are the employers, but an annuity system based on contributions made by the employees either in full or in part.

Henry F. Cabell, chairman of the State Highway Commission, was named chairman of the committee, and Sigrid Unander, the Governor's research director, was named secretary. With the assistance of various employee groups, the committee intends to gather detailed information on the present personnel of all governmental units in Oregon.

HERMAN KEHRLI

University of Oregon

### ***Indiana's Commission for City Manager Legislation***

The final member has been appointed to the Indiana City Manager Study Com-

mission. This commission was established by the 1939 session of the legislature to study, draft, and submit to the 1941 session such legislation as is necessary to provide authority for the adoption of the manager plan in cities throughout the state upon an optional basis.

The commission is required by law to complete its study and to make its report to the Governor before October 1, 1940. The commission is composed of two university professors, P. S. Sykes of Indiana University and Clarence W. Efroymsen of Butler University; two businessmen, J. W. Esterline, manufacturer, who has long been interested in the city manager plan of government, and Eli Lilly, of the prominent Indianapolis drug manufacturing firm; two members of the state legislature, Representative Roy Harrison, Republican, of Attica, and Senator Alfred Randall, Democrat, of Fort Wayne; and one public official, Virgil Sheppard, assistant administrator of the Indiana Welfare Department.

The first meeting of the commission probably will be held within a short time.

VIRGIL SHEPPARD

Indiana Welfare Department

### ***Council-Manager Plan News***

The council of Chewelah, Washington, has appointed a "supervisor of city departments" whose duties are similar to those of a city manager.

Los Gatos, California, defeated a proposed manager charter submitted to a referendum on October 23rd.

The Ohio Supreme Court has refused to order Portsmouth's city council to accept petitions requesting a referendum on amending the city charter to abolish the city manager form of government in favor of a return to the old mayor-ward council system. The court's decision upheld the city council's rejection of petitions circulated by the charter recall committee on the ground that the petitions

did not contain the names of certain electors sponsoring them.

The Berkeley County Junior Board of Trade has advocated the city manager plan for Martinsburg for several months and a formal petition was presented to the council by its president, Preston Hooper. Council denied the petition, saying that it lacked sufficient signatures, but nevertheless passed a resolution directing that an election on the question be held in June.

In Englewood, New Jersey, Bernard Turteltaub, Democratic candidate for mayor, has promised that one of his first recommendations on taking office would be the adoption of either the city manager form of government or revival of the position of city supervisor in order "that Englewood should have a full-time paid executive trained in municipal affairs to act as its business manager while the mayor and council function as a board of directors."

In Atlantic City, New Jersey, the People's League for Efficient Government has opened an active campaign for the manager plan.

The town of Lincoln, Maine, will vote on the town manager plan early in November at its town meeting.

The Arcadia (California) Good Government Association is making a study of the manager plan and has presented a resolution to the city council proposing that the city government be changed from that of a sixth-class city to a higher class or charter city, and that pending such a change the city employ a business manager to run the various departments.

A committee of the Ellensburg, Washington, Chamber of Commerce is studying forms of city government with particular attention to the manager plan.

Other municipalities where particular interest in the manager plan is reported include Newport Beach, California; Helena, Montana; Sand Springs, Okla-

homa; Thomasville, Georgia; Weirton, West Virginia; and Port Huron, Michigan.

### ***Alabama City Uses Voting Machines***

Following closely after their legislative authorization in August, voting machines were employed for the first time in an Alabama election on September 11, 1939, when Mobile voted on three candidates for the office of mayor. A total of 6,799 votes were cast and unofficial complete returns were available within one-half hour after the closing of the polls. No difficulties in the use of the machines were reported. Satisfaction was voiced by candidates and electors at the speed and accuracy of the count, and comment throughout the state was favorable.

Mobile has been the principal leader in Alabama in the movement to secure the authorization of voting machines. Following several years of criticism of the traditional election procedure, statutory authorization was secured permitting counties to purchase and employ voting machines. In a test case, however, the voting machine law was invalidated<sup>1</sup> as being in violation of the constitutional requirement that election laws be uniform throughout the state. Following this rebuff, the voting machine adherents were successful in securing popular approval of a constitutional amendment in June, 1939, which had the effect of removing the judicial ban. The legislative enabling act was quickly forthcoming.

WELDON COOPER

University of Alabama

### ***Seattle Municipal League Sponsors Local Government Forum***

Launching of a Local Government Forum, to be sponsored by the Municipal League of Seattle and conducted by outstanding business, educational, and political leaders of the state, took place Oc-

<sup>1</sup>*McCall v. Automatic Voting Machine Corp.*, 236 Ala. 10, 180 So. 695 (1938).

tober 17th, with the first of a series of ten weekly forum meetings to study the structure, organization, and functions of local government for the purpose of developing a comprehensive survey of the operation and correlation of governmental units.

All elective county officials have been invited to participate in the first series, which will present a comprehensive outline of the background and structure of government in King County, and the functions of its various departments.

Attendance is limited to members of the Municipal League and invited guests.

Coöperation of the Department of Political Science at the University of Washington has been secured.

### ***Civic Effort and Court Activity Cut Traffic Deaths in Seattle***

The Seattle Traffic and Safety Council, which is actively supported by leading citizens and firms and has a thousand regular members paying two dollars annual dues, has sponsored a unique safety campaign striving to achieve as many deathless days as possible for the city's traffic. The program started May 1, 1939, and brought forth one stretch of fifty-five death-free days. As soon as a death ends one campaign another starts. There has been a substantial fatality reduction as a result of enlisting popular and newspaper interest and support as well as outside curiosity in the program. The council supplements the regular traffic police with some three hundred citizen traffic observers who report all flagrant and dangerous violations of rules of the road.

Since Judge William F. Devin was appointed to the Municipal Court which handles all traffic cases, the percentage of traffic tickets reported on, that is, with bail fixed or trial held, has risen from 46 per cent in 1938 to 77 per cent for the first five months of 1939 and better than 90 per cent for June, the last month on which data is available.

Compared with the same period in the prior year, the 1939 record from May 1st to September 15th indicates that fatalities are down 37 per cent and all accidents are down 24 per cent.

### ***Chicago Recodifies Laws***

A completely revised and up-to-date municipal code for Chicago, Illinois, which has been in course of preparation during the last three years, was published in October. The recodification was made under the direction of Mayor Edward J. Kelly by the city's Law Department headed by Corporation Counsel Barnet Hodes. It is now available at one-third the price of the last previous codification, that of 1931, which sold for \$15.

The new code is in loose-leaf form, and provides for the insertion of additional pages at regular intervals of six months, at a nominal cost, so that the code will be kept constantly up-to-date. A new decimal system of code numbering, the elimination of the grouping of miscellaneous unrelated materials, the establishment of clear and definite titles and subtitles, and the consolidation of related or duplicated provisions, are among the improvements.

### ***New York University to Give Scholarships to City Employees***

A Mayor LaGuardia scholarship fund of \$2,000 was recently established at New York University, according to the *Civil Service Bulletin*, published by the New York Municipal Civil Service Commission. This fund will make available to city employees four scholarships of \$200 each, eight scholarships of \$100 each, and 20 additional \$20 scholarships to meet tuition fees in the university's graduate division for training in public service. Money for these scholarships, according to Provost Rufus D. Smith, who is in charge of New York University's Graduate Division, will be derived from the savings effected by having Mayor LaGuardia and city com-



missioners and department heads serve as lecturers in a course on "Government and Administration of New York City," to be conducted at the college during the coming semester. The compensation that would ordinarily be paid to lecturers for this course will be utilized for the scholarship fund.

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### **AMA Meets**

The American Municipal Association, national federation of the state leagues of municipalities, met in Chicago November 1-3 in its sixteenth annual conference. Among the subjects of discussion were federal taxation of municipal securities, sharing of state taxes among municipalities, planning of municipal public works, and collection of statistical information on municipal government.

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## **Douglas County, Nebraska, Goes Modern**

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### ***Reorganization Completed in Westchester County, New York***

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**By PAUL W. WAGER**

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Once a black spot on the map of county finance, Douglas County, Nebraska, is now a shining example for other counties to follow because of improved service, budgeted spending, modern methods, financial solvency, and decreased tax levies. These changes did not come suddenly, by accident, or of their own accord. They are the result of a "clean-up" campaign waged by a militant taxpayers' association, a crusading newspaper, and an aroused public.

A few years ago Douglas County was a half million dollars in the red, a clique of politicians controlled the jobs and the handling of the taxpayers' money, there was wasteful spending and poor service. Finally in 1932 a group of Omaha business

men got sick and tired of the whole situation, formed the Association of Omaha Taxpayers, and took up the fight in earnest. They began digging out facts as to where the taxpayers' money was going and telling the people through a friendly newspaper.

A budget law was put into effect in 1938 and adherence to it was achieved by attaching severe penalties to any violation. The printing of regular monthly reports also had the effect of keeping the public alert and informed.

Last fall the voters of the county supported a "sweep-the-courthouse-clean" campaign which resulted in the selection of high grade officials and personnel who were capable of operating the county on a sound, businesslike basis. Today the officials are doing their job thoroughly, because they know that is what the taxpayers demand.

Early in 1939 the county's deficit amounted to \$555,000 for which warrants bearing 6 per cent interest were outstanding. Legislation was enacted which enabled this debt to be funded through the sale of notes bearing 2½ per cent interest and payable by levy during the next five years.

At the present time Douglas County is spending \$35,000 for modernizing equipment which is expected to pay good dividends. Photographic machines are being installed to reproduce deeds to take the place of the laborious copy-by-hand method. Modern machinery in the treasurer's office will enable taxpayers to get a statement or receipt within a few minutes where formerly it took several hours. The same equipment will also permit the mailing of statements.

Finally, the unicameral legislature has passed a constitutional amendment, to be voted on in the 1940 general election, that would permit counties to change their form of government. This is the first step toward the county manager plan for Douglas County.

All in all, Douglas County has gone modern.

W. L. PIERPOINT, *President*  
Association of Omaha Taxpayers

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### ***Westchester County Government Streamlined***

The new charter adopted by the electorate of Westchester County in November 1937, and partially effective on January 1, 1939, when the first county executive took office, provided that the reorganization should be completed by December 31, 1939.

It is gratifying to be able to report that County Executive Bleakley completed the task in nine months. Among the major changes which he has brought about under authority granted him in the charter are the following:

1. Transferred executive duties from the supervisors to an elective county executive;
2. Placed in the hands of the executive the appointment of all important county officials except those dealing with the courts;
3. Consolidated in the Department of Public Works the former offices of county engineer, superintendent of highways, sanitary sewer commission, superintendent of buildings, and sealer of weights and measures;
4. Merged offices of county comptroller and county treasurer into Department of Finance;
5. Merged the office of county register with that of county clerk;
6. Provided for an independent audit of the county's financial affairs;
7. Continued post of budget director and added that of personnel director; established County Purchasing Bureau;
8. Created a new Tax Commission and

a new Planning Commission;

9. Provided for future referendum on (a) reduction of the size of the Board of Supervisors, (b) creation of a County Department of Uniform Tax Assessment; and (c) establishment of a County Debt Commission to regulate borrowings.

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### ***Another County Home Closed in North Carolina***

The North Carolina State Division of Institutions and Corrections reports that, with the closing of the Cumberland County Home September 1st, the number of homes in operation has been reduced to seventy-eight. A few years ago practically all of the one hundred counties in the state maintained such an institution. The reduction has been brought about partly as a result of old-age assistance and partly by transferring inmates from the less well equipped homes to those more adequate. The population in the seventy-eight existing homes at the last count was 2,712.

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### ***Court Kills Vote on County Reform***

A proposed referendum on the question of consolidating various county offices within the city of New York has been canceled by order of Supreme Court Justice Hofstadter. Both critics and advocates of the measure agreed that the referendum petition lacked sufficient valid signatures. A total of 50,000 valid signatures is necessary. Despite the setback, Mayor LaGuardia said the fight for reform in county government would go on. An endeavor is being made to elect city councilmen favorable to the proposal at the November election, for the changes which have been proposed could all be effected by vote of that body as well as by initiative petitions submitted by the voters of the city.

### **Missouri Local Roads**

A new local road program is being formulated by representatives of the Missouri Farmers' Association, Automobile Club, Oil Industries, Municipal Association, and County Judges' Association. In general, these groups opposed a constitutional amendment, sponsored by the Citizens' Road Association, which was defeated by the voters in 1938. This amendment would have raised the state gas tax from two to three cents per gallon, and proposed further extension of the supplementary highway system.

The new plan would also increase the tax to three cents, but one cent would be apportioned on a fifty-fifty basis among the counties and cities for local road and street purposes exclusively. The state would administer the tax, but would not supervise local expenditures. Its sponsors claim that a two-cent tax is sufficient to maintain and improve the existing state highway system, and that the system needs little, if any, extension.

The farmers and county courts (i.e. county boards) are interested in improving all local roads. They desire more county road revenue, and, if possible, a reduction in property taxes on farm land. The County Judges' Association in an annual convention has already endorsed the proposed program. The Municipal Association desires a share in the gas tax for all cities of over 500 population, whereas only the larger cities now levy a tax. It is generally maintained that city gas taxes are of doubtful legality, and might be invalidated if contested in the courts. In some cases a share in the gas tax may permit a slight reduction in city property taxes. The oil industries would welcome a uniform tax throughout the state, for it would greatly simplify accounting work. If these important groups can hold together, this program will have widespread popular support.

WILLIAM L. BRADSHAW  
University of Missouri

## **Ohio and California Vote on Generous Old-Age Pension Scheme**

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*Florida city trades land for bonds*

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By WADE S. SMITH

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This November's election finds the voters of two states passing judgment on old-age pension schemes which threaten fiscal chaos. In California the much publicized "Thirty Dollars Every Thursday" proposal, defeated by a small margin last year, is on the ballot again in enlarged form. In Ohio a constitutional amendment is proposed which would lower the age limit, raise allowances, and widen the scope of existing pensions. Both proposals were placed on the ballot by initiative petitions.

The California plan would pay a weekly stipend of thirty dollars to every individual of fifty years of age and over who is not employed or an employer, regardless of the individual's resources. Payment would be made in "life retirement warrants," a stamp-scrip calling for the affixing of two cents in stamps each Thursday for each dollar of warrant face value. The warrants would be redeemable solely from the proceeds of the sale of stamps, and the state's credit would not be pledged in any way. Acceptance would be voluntary in so far as ordinary transactions are concerned, but a premium is placed on their use by exempting warrant transactions from a 3 per cent gross income tax now made a part of the proposal. The state, cities, counties, school districts, and other local governing units would be forced to accept warrants in payment of taxes and other governmental charges from whoever offered them.

The state and its local units would also have to use as their sole depository a state



bank set up in the proposal to handle warrant transactions. Thus, in addition to imposing a stamp scrip economy on the state's commercial, industrial, and agricultural life, the California proposal would flood governmental units with scrip and force them to forego the present security of scattering their deposits through a number of banks, with each bank obliged to provide collateral security at least in the amount of the deposit.

The Ohio proposal, so-called proposal number 2 of the Bigelow committee, would guarantee to every retired citizen of sixty and over fifty dollars per month to single persons and forty dollars each to married persons. Two sources of revenue are provided—a real estate tax of twenty mills on all land assessed at the rate of \$20,000 or more per acre, and an income tax on every person or corporation equal to one-fourth of the amount paid to the federal government the preceding year. If these revenues are not sufficient, other taxes may be utilized. The Ohio proposal is to be paid in hard cash, therefore, and the fiscal problem it presents is that of a greatly increased expenditure to be financed by new taxes and additions to existing taxes.

In the case of the California proposal, it was estimated here<sup>1</sup> last year that the amount of cash required to be raised through the sale of warrant stamps would exceed the recent combined revenues of the state and all its local subdivisions, a figure which when added to other taxes presents a total which even the most blasé Hollywood publicity man could easily concede to represent a staggering tax burden. Various agencies have estimated the cost of the Ohio proposal as from about \$303,000,000 up, with the state director of taxes estimating its cost at not less than \$310,000,000. Against this it is estimated that the twenty-mill tax and the tax based on federal income tax payments would produce

only about \$43,000,000 annually. The pension cost estimated is approximately three times the present state budget. Bankruptcy of the state and impoverishment of its taxpayers is freely predicted by opponents of the amendment if it should be enacted.

In neither Ohio nor California are present payments to the needy aged inadequate in comparison with those elsewhere. California's old-age assistance payments, under the social security program, are the highest in the country, while those for Ohio are well above the national average. In June old age assistance payments per recipient averaged \$32.45 in California and \$22.57 in Ohio, as compared with a national average of \$19.42. California's total obligation for the month, for 131,979 recipients, was \$4,282,347, and Ohio's, for 116,275 recipients, was \$2,624,140. These sums represent, of course, the total of local, state, and federal social security funds, and are in connection with a pension plan where the lower age limit is sixty-five years and need is the basis of payment. In California those actually receiving assistance comprise 2.87 per cent of the estimated population of sixty-five years and over, and in Ohio 2.41 per cent. The tremendous costs anticipated in the proposals to be voted on in November arise from the fact that the criterion of need is eliminated, as well as the age limit lowered. Some observers believe that both states will lose their present federal old-age assistance grants if the proposals become law, since their pension programs will no longer be based on the "need" which is a prerequisite of federal participation.

By the time this appears in print the election results in both states will be available. Little is known at this time of the progress of the pre-election campaign on the Ohio proposals, although a campaign in opposition has been mobilized by a specially created Ohio Emergency Committee. In California the contest is expected to be close, although favorable factors are

<sup>1</sup>See "Thirty Dollars a Week for Life." NATIONAL MUNICIPAL REVIEW, October 1938, page 481.

the getting out of a 1939 registration slightly exceeding that of 1938 and the alienation of labor support from the pension proposal because of wording in the new proposition which appears to outlaw strikes.

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### **Number of Taxing Units Declines**

Nearly 6,500 local governmental bodies with taxing power were eliminated during the last five years, according to the Federation of Tax Administrators which reports that the Illinois Tax Commission has made a census showing that there are now, in addition to the forty-eight states, 3,052 counties, 16,450 incorporated places, 118,667 school districts, 19,303 townships, and 3,624 other units of government. In 1934 the count made by the United States Census Bureau showed a total of 167,699, against the current total of 161,144. The ten states with the largest number of units are Illinois, Kansas, Minnesota, Missouri, New York, Wisconsin, Michigan, Nebraska, Iowa, and Texas, in that order. The range for the top ten is from 7,106 in Texas to 15,100 in Illinois.

At the same time that the number of taxing units has been decreasing, there has been a downward trend in the number of separate units assessing property for taxation, so that the number of overlapping assessment agencies is being reduced. According to the National Association of Assessing Officers, Maryland, Pennsylvania, Texas, and Alabama all adopted in 1939 laws providing for the simplification of assessment procedure so as to reduce or eliminate overlapping assessing authorities. The association's committee on assessment organization and personnel recommends that overlapping tax districts use a single assessment roll, that the larger of the units in area be the primary assessing district, and that consolidation be resorted to when appropriate.

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### **Swaps Lands for Bonds**

According to a recent dispatch to the

*Daily Bond Buyer*, the city of Temple Terrace, Florida, recently secured the approval of the federal courts to a debt composition plan which contemplates the exchange of vacant land for \$1,348,000 in defaulted city bonds. This unique plan under the federal bankruptcy act was approved by creditors holding \$549,000 in bonds and \$310,000 in interest coupons in June, but other creditors objected the following month, and appealed to the Court of Appeals at New Orleans. Civic leaders and the objecting creditors got together, however, ironed out their differences, and the appeal was withdrawn and the go-ahead signal given on October 7th. A hearing was scheduled to be held October 16th to arrange the details for the swap. The exchange is expected to leave the city debt free, and stimulate renewed development of this Hillsborough County community located near Tampa.

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## **An Eventful Fall in the P.R. World**

*Reports on P.R. Votes  
New York's P.R. Council  
British P.R. Work to Continue*

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By GEORGE H. HALLETT, JR.

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### **What Happened in Waterbury**

To those not familiar with the details of the local scene the defeat of the proposed P.R.—city manager charter in Waterbury, Connecticut, at a special election on October 3rd, must have come as a disappointing surprise. The scandals connected with the operation of the present form of government, which have been receiving nation-wide publicity for months past while the trial of the former mayor and other high officials proceeded, seemed to form an ideal background for a first-class civic revolution.

That same background, however, seemed ideal to several important elements in

the city as the setting for another sort of revolution—the election of a new mayor, with all the appurtenant patronage. Since the adoption of the manager plan charter would have blocked the election of a mayor, this interest in the mayoralty deflected much of the natural charter support to the opposition. Civil service employees were fearful of change. The old machine, sore beset but still numerous, was of course opposed. None of the newspapers supported the charter and one was vehemently against it.

Under all the circumstances the Good Government Association of Waterbury, which sponsored the charter proposal, is to be congratulated on the yes vote of 10,513, with only 14,726 in opposition. A great deal of good educational work has been done which may well lead to success in the not distant future.

More details of the story will be given at the P.R. session of the National Municipal League convention in Indianapolis on November 16th by Julian G. Hearne, Jr., of Wheeling, who acted as campaign consultant for the Good Government Association and, according to H. F. White, president of the association, “did a mighty fine job.”

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### ***Annual P.R. Meeting***

The annual meeting of the Proportional Representation League, Inc., now consolidated with the National Municipal League, will be held in connection with a round table discussion of the National Municipal League convention at the Hotel Severin, Indianapolis, on November 16th at 10.30 A.M. Professor A. R. Hatton of Northwestern University, president of the league, will preside. Trustees will be elected for the ensuing year.

Most of the session will be devoted to brief accounts of the P.R. adoption campaigns in Waterbury, Connecticut, and Schenectady, New Rochelle, White Plains, and Onondaga County, New York, all of which will be decided before this issue

appears in print, and the 1939 P.R. elections in New York City and Yonkers, New York; Cincinnati, Toledo and Hamilton, Ohio; Wheeling, West Virginia; and Boulder, Colorado.

The opening session of the National Municipal League's meetings, on November 15th, will be enlivened by a debate on the merits of P.R. between Professor F. A. Hermens, arch-opponent, and Walter J. Millard, arch-advocate of the system.

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### ***A Review of New York's First P. R. Council***

The Citizens Union of the City of New York, in the forefront of all local good government movements since 1897, published in October a sixteen-page *Searchlight* devoted to the record of “The First P.R. Council—An Experiment in Democracy,” from January 1, 1938, to September 30, 1939.

“The 1938-1939 City Council,” the story starts, “has been given by its own members, in the course of widely broadcast debates, such epithets as ‘best show in town,’ ‘three ring circus,’ ‘kibitz club,’ and other appellations designed, perhaps, to make it look ridiculous, but showing that it was alive and interested in letting its constituents know that it cared whether they hissed or applauded its work. In contrast, the defunct Board of Aldermen might have been called a municipal lodging house, a place for a weekly nap at the city's expense, where any person so rash as to disturb the peace by moving to discharge a committee was silenced by a blow on the head in the form of a motion to table.

“The first use of proportional representation had resulted in an even division of the council—thirteen organization Democrats and thirteen others—in contrast to the sixty-two Democrats and three Republicans of the last Board of Aldermen. The sound and fury in the new Council was the natural result of the exasperation



of Democratic machine members when they found that, for the first time in a generation, their steamroller would no longer roll.

"The heavy Democratic majority in the old board made it so easy to do simple unimportant business in a brisk, efficient (albeit extremely partisan) way that after almost two years of membership on the Council many former members of the board are still dazed and a little bit hurt when they meet with real opposition from what they consider the labor and fusion upstarts that P. R. admitted to the sacred portals of the aldermanic chamber. Members of the old guard, therefore, have done their best, directly and indirectly, to make the Council look silly, hoping in that way to discredit P. R. It almost seemed as if some of the majority members, instead of trying to make records for themselves, were sitting back and waiting for opportunities to keep the entire Council from making any sort of record in the hope that by so doing the old Board of Aldermen might, by some miracle, be brought back to life.

"Despite this handicap and many other difficulties the Council did accomplish some worthwhile things and came close enough to accomplishing others to make it seem a refreshing change to veteran observers of the old Board of Aldermen."

The *Searchlight* then proceeds to describe in some detail the organization of the council and the way it met the various important issues which came before it. In the "Summary and Conclusions" the story picks up the end of the introduction:

"With all its shortcomings the Council has been a refreshing contrast to the rubber-stamp Board of Aldermen. All important proposals have been subjected to full discussion and nothing seriously objectionable has passed.

"Enough has been said, however, to make it clear that further progress is badly needed. The present session has been largely a stalemate. A few of the

most urgent immediate needs have been met, but such major tasks as pension reform and county reorganization cry out for a less politically-minded majority, while the ordinary business of the Council could profit greatly by a reorganization of committees and a modernization of the rules.

"The voters have the remedy within their grasp this fall. The second P. R. election presents a sufficient number of strong candidates with superior qualifications and there are fewer other candidates and other contests to divide the voters' attention than there were two years ago. If those who want improvement will go to the polls and mark choices for all candidates who give promise of independent and enlightened service, there is a good prospect of real accomplishment during the second half of the present La Guardia administration."

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### *An Editorial in the Herald-Tribune*

The Citizens Union's conclusion is in line with the following editorial tribute to P.R. in New York City, which appeared in the *New York Herald-Tribune* for October 6, 1939, under the heading "P.R.'s Second Test":

"Other preoccupations have been so many and so engrossing that it has been easy to forget the approach of one of the most interesting events upon the local calendar—New York City's second councilmanic election on the proportional representation system. But already the petitions are circulating and the slates are being made up; and in a fall campaign rather markedly lacking in other interests, the choice of the new Council and the second test of 'P.R.' should hold the center of the stage.

"Involuntarily the citizen may groan over the supposed complexities of the transferable vote. Actually, the complexity is a legend. If the voter remembers his experiences last time he will remember

that there was nothing particularly baffling about it, except in the eyes of the hoary Tammany professionals, who could find no way to beat it. And general experience elsewhere has been that the first time is always very much the hardest. The apparent ease of a 'P.R.' candidacy, which requires no primaries or nominations, in which party designations are not essential and which any one can attempt who gets the necessary signatures, brings out the aspirants in hordes for the first trial. The efficiency and accuracy with which the seemingly queer machinery throws out every one who has not real voting strength is usually enough. It is improbable that the ballots this year will bear anything like the regiments of names which appeared in 1937. With shorter lists of better known candidates the voters can more easily mark their choices and the counting should be much quicker.

"And the result should achieve the final reform in the Council which was only half completed in 1937. Despite the aspersions cast upon it 'P.R.' in fact operated magnificently then. It raised tremendously the character of representation in the Council, as contrasted with the horizontal statesmen of the old Board of Aldermen, and gave it a political division in reasonable accordance with the real sentiment of the city. But it was an unfortunate accident that the division of sentiment was so close as to produce a tie vote in the Council, and condemn it to two years of political wranglings and fireworks which could have been averted with a solid majority on one side or the other. With the aid of 'P.R.' it is now the citizens' task to return such a majority: the importance of doing so, and the importance of making it a majority for the forces of decent and responsible government which have so successfully conducted its administration cannot be overemphasized."

### *British Proportionalists Carry On*

Leaders of the British Proportional Representation Society, which has occupied a position of world leadership in the movement for true representative government ever since 1884, recently took a serious inventory of the society's position in the light of the war in which the British nation is engaged and decided it had an obligation to carry forward its work so as to be ready to play an important part in the post-war reconstruction. The following statement of its position was widely circulated to the society's members and friends in Great Britain and the dominions:

"We must remind ourselves that towards the close of the last war an all-party conference on electoral reform, with the Speaker of the House of Commons as chairman, unanimously recommended the use of P.R. in the thickly populated areas of the country. This recommendation was defeated in the House of Commons by only a small margin.

"The general election of December, 1918, was therefore fought under the old system, with the result that, at a period in world history when moderation was needed above all things, the large moderating forces in our nation were deprived of effective leadership and, almost completely, of representation.

"The society must endeavour, with all its power, to prevent the occurrence of a similar experience after the present war. The adoption of proportional representation would give an election in which reason would play a larger part, and the society, in helping to secure this reform, would be making a contribution of historic importance to the government of man.

"Immediate public action is in the present circumstances out of the question, but the society must be in a position to press, at the appropriate time, both publicly and privately, for the reconsideration

of our method of national representation, possibly by way of a new electoral reform conference. Meanwhile, the society, and individual members of the society, must use every occasion to direct attention to the serious danger that, in the absence of full and adequate representation of moderating opinion, no post-war settlement is likely to be either reasonable or lasting.

"Another contribution we can make concerns international relations and international government after the war. Mr. Anthony Eden, the Dominions Secretary, in his broadcast on September 11th, said:

"What really matters is what follows after. Can we do better this time? Can frontiers and faiths, language and commerce, serve to unite nations and not divide them? Can we create a true unity in Europe?"

"Other public men in Great Britain, and also in other countries, refer to the need of a new 'world order.' This new world order will require very careful planning. If it is to rest on a congress of peoples and not on a congress of governments, it will involve the election of representatives, and its functioning will be influenced profoundly by the extent to which the principle of justice finds expression in its constitution. The society and members of the society can participate in movements for a new world order. We can play our part in the establishment of government, national and international, upon principles of enduring value."

### ENGLISH LOCAL GOVERNMENT FACES WAR

(Continued from Page 768)

concerned with a wide range of national and local government activities, and also that without his services there is a real danger of retarded progress and lack of coördination."

The bringing of English local authorities under regional commissioners indicates a trend toward something like the French prefect. The

present circumstances make this seem a logical development. The degree to which the English have enjoyed the privileges of local self-government has been unique in Europe. On the continent local authorities have been little more than branches or agents of the central government. In a very real sense England's island situation has been responsible for this local freedom, as for so much else in English life. England (like the United States) has had no frontiers with potential enemy countries. Such a nation can allow itself to a certain degree the luxuries of individualism and anarchy in its public life. It need not submit completely to organization and to hierarchy in order to insure its continued existence. It can permit the affairs of its principal metropolis to be administered by a confusion of counties, boroughs, and independent boards. It can confine its efforts in reforming local government units to the issuance of reports of Royal Commissions.

But the bombing plane has changed all that. England now has frontiers. It has become part of the continent of Europe. The adoption of compulsory military service along continental lines was only one of the more evident surrenders of liberty required by this new status. A similar "continentalization" of English local government would seem to be on the way.

<sup>a</sup>Report of the Commissioner for the Special Areas, 1938, p. 8.

NOTE.—The research on which this article is based was done while the author was in England on a fellowship from the Social Science Research Council, to which acknowledgment is made.



# Books in Review

EDITED BY ELSIE S. PARKER

**Introduction to the Study of Public Administration.** By Leonard D. White. New York City, The Macmillan Company, 1939. xiii, 611 pp. \$4.00.

It is good news that the definitive work on public administration, first published a scant ten years ago, has had to be revised. This is no reflection on the excellence of Leonard White's initial pioneering synthesis of the literature on the business side of government. The revision of his work means merely that there has been plenty of progress in a field at which "practical" men sneered not so very long ago. Public administration is indeed coming into its own, and the revised *Introduction to the Study of Public Administration* is one proof of it.

That one of the two new sections of this book is titled "Fiscal Management" is also significant. The depression has had a profound effect upon the whole philosophy and method of government finance, and although the catastrophes of the depression are to be regretted, the reforms it brought are the silver lining to a black cloud.

To those who are familiar with the first edition of Dr. White's book, it need only be said that the revised edition preserves the virtues of the earlier one and enhances them by bringing them up to the minute. To those few who are not familiar with the work, instant remedying of that laxity can be the only prescription.

H. P. J.

**Reorganization of the National Government.** By Lewis Meriam and Laurence F. Schmeckebier. Washington, D. C., The Brookings Institution, 1939. xii, 272 pp. \$2.00.

Regardless of what laws have or have not been passed since this book was pub-

lished, and what steps have or have not been taken to reorganize federal administration, the Brookings Institution's *Reorganization of the National Government*, together with the report of the President's Committee on Administrative Management, should make an excellent pocket library on a subject on which has been shed much heat and little light. It is by now well known that the Meriam-Schmeckebier book is in effect a rebuttal of the Brownlow-et-al report. The former holds that economies stem not from administrative reshuffling but from curtailment of function; and that whatever administrative reorganization is desirable should be achieved by Congress on recommendation of the President, rather than by the President under broad grant of power from Congress. The opinions of the President's committee are, of course, the reverse. No mere book review should take part in so delicate a controversy. But if any reader wishes to do so, the Brookings book will provide a deal of factual ammunition.

M. R.

**It Can Be Done.** The Autobiography of James Hudson Maurer. New York City, Rand School Press, 1939. 374 pp. \$3.00.

This is a "success story" more deserving of that term than most of those we put into the hands of young people. On a page between the title page and the first chapter are these words, set out by themselves: "Whenever I hear people, particularly young folks, say, 'I can't do that,' I feel like shaking them. If this book proves anything, it proves it can be done." But the sort of thing the book proves can be done is not that of gathering a fortune. That is because the thing you have faith to believe can be done, if you would

be another Maurer, has more value than money. Jim Maurer found that "public health was nobody's business," and he made it his business. Later on in the book is a story, "A New City Hall and No Scandal." In it this doggedly determined Pennsylvania Dutchman tells how he and a few friends reformed the city of Reading, going at it in the proper way to get such a mighty task done, with un-failing faith in the lowly people and un-failing humor.

An incident is told in which he played a trick on a legislative committee chairman which strait-laced people may think unethical. But by that trick "the home rule powers of the third-class cities of Pennsylvania was extended so that city services could be improved and costs reduced." Surely the Recording Angel will set that worthwhile result against the means employed. "The False Issue of Lower Taxes" on page 317 will strike a responsive chord in every reader of the NATIONAL MUNICIPAL REVIEW.

In England and France it is a common thing for labor leaders to be members of city councils and local legislatures. James Maurer we hope is the forerunner of the type of American labor leader who will also be a public official. This country will have finer city councils and legislatures if young labor leaders who enter them will read this illuminating story of a man poor in this world's goods but rich in the recollections of child labor he abolished and a city he redeemed.

W. J. M.

**The History of Public Welfare in New York State 1609-1866.** By David M. Schneider. Chicago, University of Chicago Press, 1938. xix, 395 pp. \$3.00.

The relief problem is not "new" or "depression" or "Rooseveltian" and this book is a detailed and horror-full proof of it. Together with a volume by the same author which is now in preparation,

dealing with the period ending 1938, this history should make a most useful reference book, a "case history" of the relief problem using the most populous state in the union—hence both the richest and the poorest state in the union—as the case in question.

M. R.

**Specifications for the Annual Municipal Report.** By Clarence E. Ridley and Herbert A. Simon. Chicago, International City Managers' Association, 1939. vi, 59 pp. mimeo. \$1.50.

A decade or so ago citizens in only a handful of municipalities received intelligible municipal reports; now more than a hundred cities are distributing brief, attractive, readable, and informative reports on their local government. For this increase the International City Managers' Association is undoubtedly at least partly responsible and the present volume should do much to accelerate the movement for more and better reports.

The manual makes specific suggestions concerning the content, preparation, design, publication, and distribution of the municipal report. These suggestions are based on the latest developments in the measurements of municipal activities and on a study of the several hundred municipal reports issued in recent years.

## Additional Books and Reports Received<sup>1</sup>

### *Assessments*

**Assessment of Real Property in Kentucky Counties.** Comparison of Constitutional Assessments and Actual County Assessments. Frankfort, Kentucky Department of Revenue, 1939. 69 pp.

<sup>1</sup>See also "Research Reports Received," page 798.



### **Civil Service**

**Post-Entry Training for Local Government Officers.** By Charles Winter. London, William Hodge & Company, Limited, 1939. xv, 212 pp. 7/6.

### **Highways**

**Highway Transportation Re-makes America.** Washington, D. C., National Highway Users Conference, 1939. 32 pp.

### **Housing**

**Housing in Yonkers.** Yonkers, New York, The Municipal Housing Authority, 1939. 27 pp. illus.

**New York City Housing Authority. Fifth Annual Report, 1938.** New York City, New York City Housing Authority, 1939. 35 pp. illus.

### **Municipal Government**

**Changes in Municipal Boundaries through Annexation, Detachment and Consolidation.** Chicago, American Municipal Association, 1939. 38 pp. mimeo. \$1.00.

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## **CONTRIBUTORS IN REVIEW**

(Continued from Page 794)

istration, and secretary and chief examiner of the Evanston, Illinois, Civil Service Commission. He is also the author of *Government Proprietary Corporations in the English-Speaking Countries*. Mr. Ackermann, a recent graduate of Northwestern, rounds out the picture. He is now with the county assessor of Cook County, Illinois.

**H**AVING spent "much of my youth on the family farm" at Ohiowa, Nebraska, **Kenneth Wernimont** (*County Disorganization for North Dakota*) has (figuratively) gone back to the farm in Washington, D. C., where he is now assistant agricultural economist in the Division of Land Economics of the Bureau of Agricultural Economics. In between he became a member of the Nebraska State Bar, received degrees in political science from Nebraska Wesleyan University and American University, and attended the University of Rome on an American-Italian exchange fellowship sponsored by the Institute of International Education.